

Attachment 3

Fee Adoption Ordinance

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. 1807

ORDINANCE NO. 1621

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, and June 13, 2017 (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 2017; 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 \$3,349,394.87; and

WHEREAS, it is therefore necessary to raise \$1,250,000 in fiscal year 2018-2019 (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, 2017, 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 10, 2018 a list, entitled "District No. 24 (Groundwater Remediation) 2017 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 10, 2018. 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 19th day of June, 2018, 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 19th day of June 2018, 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 19, 2018 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 19, 2018; 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 May 8, 2018.

/s/ Nancy Parent
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 9th Street., Reno, Nevada; and that said ordinance was proposed by Commissioner _____ on May 8, 2018, 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 19, 2018, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This ordinance shall be in full force and effect from and after June ____, 2018, 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 19, 2018.

/s/ Marsha Berkgigler
Chair
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

/s/ Nancy Parent
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 8th day of May, 2018.

Proposed by Commissioner Hartung.

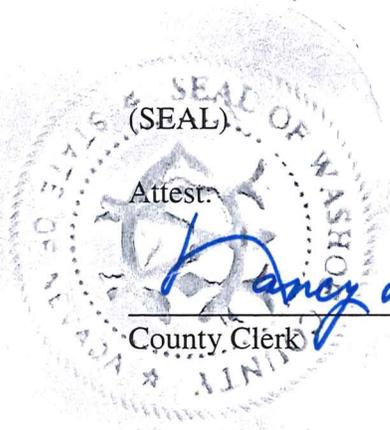
Passed the 19th day of June, 2018.

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

Those Voting Nay: none.

Those Absent: Kitty Jung

Marsha Berkbigler
Chair
Board of County Commissioners
Washoe County, Nevada



Attest:

Nancy L. Parent
County Clerk

This ordinance shall be in force and effect from and after the 29th day of June, 2018, i.e., the date of the second publication of such ordinance by its title only.

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

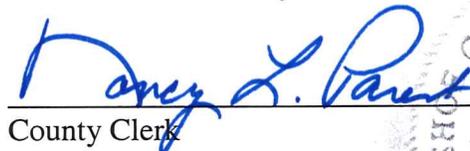
I, Nancy Parent, am the duly chosen and qualified Clerk of Washoe County, and in the performance of my duties as Clerk do hereby certify:

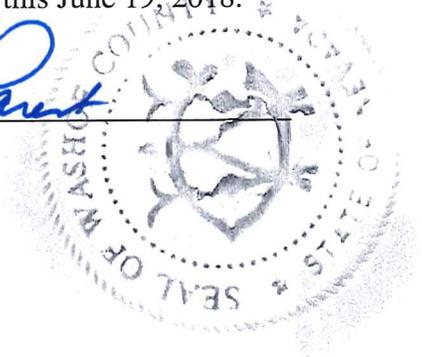
1. The foregoing pages are a full and correct copy of an ordinance introduced and read by title at the Board of County Commissioners of the County (the "Board") held on May 8, 2018 and adopted on June 19, 2018 which relates to District No. 24 (Groundwater Remediation). Minutes of the meeting on such District held on May 8, 2018 and of the hearing on the Ordinance held on June 19, 2018 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 19, 2018.


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 8, 2018 and June 19, 2018.

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 June 19, 2018.





County Manager (or representative thereof)
Washoe County, Nevada

EXHIBIT "A"

**(Attach Copy of Minutes of May 8 Meeting on
District No. 24 Boundary Amendment)**

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

TUESDAY

10:00 A.M.

MAY 8, 2018

PRESENT:

Marsha Berkgigler, Chair
Kitty Jung, Vice Chair
Bob Lucey, Commissioner
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, 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, the Clerk called the roll and the Board conducted the following business:

18-0341 **AGENDA ITEM 3** Appearance: Trudy Larson, MD Professor and Dean School of Community Health Sciences, University of Nevada Reno. Presentation and update regarding the School of Community Health Sciences.

Dean of the School of Community Health Sciences at the University of Nevada Reno (UNR) Dr. Trudy Larson, MD conducted a PowerPoint presentation with slides entitled: Making Health Happen; What is Public Health; Why should you care about it?; An Inconvenient Truth; Making Health Happen; CEPH Accreditation; Degrees and Specializations; Rapid Growth of Undergraduate Program; Rapid Growth of Faculty; Making Health Happen; Community Engagement; Community Partners; Nevada Public Health Training Center; Research Productivity; School of Community Health Sciences; Where do we want to go?; Our Path Forward; and Making Health Happen. She read from the presentation and explained public health was everywhere. She indicated the School of Community Health and Sciences including the Bachelors, Masters and Doctoral degrees were all accredited by the Council on Education for Public Health (CEPH). The school offered many degree programs which included on-campus and online options. She said the school currently had more than 2,700 undergraduate students and was working towards a higher Public Health accreditation level.

Commissioner Jung thanked Dr. Larson and Senator Heidi Gansert for attending. She questioned what actions the County could take to help the school get the accreditation.

18-0360

AGENDA ITEM 18 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 19, 2018;

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 19, 2018. Community Services. (All Commission Districts.)

County Manager John Slaughter introduced the public hearing.

Nancy Parent, County Clerk, read the title for Bill No. 1806.

There was no public comment on this item.

Bill No. 1806 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

Nancy Parent, County Clerk, read the title for Bill No. 1807.

There was no public comment on this item.

Bill No. 1807 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

Commissioner Hartung explained the reason for the Groundwater Remediation was dry cleaners and auto shops in the City of Reno dumped chemicals which contaminated the ground water.

Commissioner Jung said this issue needed to be included on the list of regional shared services and fiscal responsibility as a countywide issue; it was not limited to the cities. She thought it needed to be included in fiscal equity discussions.

John Slaughter stated he reviewed the list and this topic was not included, on the list but made a note to add it.

EXHIBIT "B"

(Attach Minutes of June 19 Hearing on Ordinance)

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

TUESDAY

10:00 A.M.

JUNE 19, 2018

PRESENT:

Marsha Berkbigler, Chair
Kitty Jung, Vice Chair
Bob Lucey, Commissioner
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
David Watts-Vial, Deputy District Attorney

The Washoe County Board of Commissioners convened at 10:15 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, the Clerk called the roll and the Board conducted the following business:

18-0420 AGENDA ITEM 3 Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses.

County Manager John Slaughter recognized the following employees:

Promote Yourself! Mini Certificate Program
Rochelle Rose, Human Service Agency

Essentials of Management Development
Shannon Scott, Assessor's Office

Essentials of SAP for Financial Staff
Jennifer Reyes, Reno Justice Court
Jeremy Wilson, Human Services Agency

Essentials of Support Staff
Patricia Morrow, District Attorney's Office
Lona Tette, Assessor's Office

There was no public comment or action taken on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered to approve the appeal and reverse the denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe) based on the Board's ability to make all four of the findings required by WCC Section 110.804.25. The following findings were 1. Special circumstances applicable to the property including extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships. 2. No detriment. 3. No special privileges. 4. Use authorized.

18-0453 **AGENDA ITEM 22** 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
Public Hearing for the second reading and possible adoption of an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and other matters properly 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 Ordinance.

Nancy Parent, County Clerk, read the title for Ordinance No. 1620, Bill No. 1806.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Herman, which motion duly carried with Commissioner Jung absent, Chair Berkgigler ordered that Ordinance No. 1620, Bill No. 1806, be adopted, approved and published in accordance with NRS 244.100.

Nancy Parent, County Clerk, read the title for Ordinance No. 1621, Bill No. 1807.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Jung absent, Chair Berkgigler ordered that Ordinance No. 1621, Bill No. 1807, be adopted, approved and published in accordance with NRS 244.100.

EXHIBIT "C"

(Attach Copy of Notice of May 8 Meeting)

COUNTY COMMISSIONERS
Chair, Marsha Berkgigler, District 1
Vice-Chair, Kitty Jung, District 3
Bob Lucey, District 2
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 COUNTY COMMISSIONERS
COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada**

**May 8, 2018
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. The Consent is a single agenda item and is considered as a block and will not be read aloud. The Board of County Commissioners may take breaks approximately every 90 minutes.

Accessibility. 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.

Public Transportation. 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.

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

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

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

18. 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 19, 2018;

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 19, 2018. Community Services. (All Commission Districts.)

FOR POSSIBLE ACTION

Attachments: BCC 05-08-18 - Staff Report - CTMRD 2018 Fee and Boundary Ordinance Intro
BCC 05-08-18 - Attachment 1 - 2018 Boundary Ordinance
BCC 05-08-18 - Attachment 2 - 2018 District Boundaries
BCC 05-08-18 - Attachment 3 - 2018 Fee Ordinance
BCC 05-08-18 - Attachment 4 - 2018 Fee Area Boundaries
BCC 05-08-18 - Attachment 5 - 2018 Fee Distribution DRAFT

EXHIBIT "D"

(Attach Copy of Notice of June 19 Meeting)

COUNTY COMMISSIONERS
Chair, Marsha Berkgigler, District 1
Vice-Chair, Kitty Jung, District 3
Bob Lucey, District 2
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 COUNTY COMMISSIONERS COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

June 19, 2018
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. The Consent is a single agenda item and is considered as a block and will not be read aloud. The Board of County Commissioners may take breaks approximately every 90 minutes.

Accessibility. 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.

Public Transportation. 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.

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

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

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

22. 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
- Public Hearing for the second reading and possible adoption of an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and other matters properly relating thereto. Community Services. (All Commission Districts.)
- FOR POSSIBLE ACTION

Attachments: BCC 06-19-18 - Staff Report - CTMRD 2018 Fee and Boundary Public Hearing.docx
BCC 06-19-18 - Attachment 1 - 2018 Fee Ordinance.docx
BCC 06-19-18 - Attachment 2 - 2018 District Boundaries.pdf
BCC 06-19-18 - Attachment 3 - 2018 Fee Ordinance.docx
BCC 06-19-18 - Attachment 4 - 2018 Fee Area Boundaries.pdf
BCC 06-19-18 - Attachment 5 - 2018 - Final.xlsx

23. Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and/or Truckee Meadows Fire Protection District per NRS 288.220.
24. 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.
25. Commissioners'/County Manager's announcements, reports and 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)



PART OF THE USA TODAY NETWORK

The Mason Valley News

"The Only Newspaper in the World that Gives a Damn About Yerington"

Order Confirmation for Ad #: 0002915426

Customer: WASHOE CO
Address: 1001 E 9TH ST
 RENO NV 89512 USA
Acct. #: REN-349008
Phone: 7753282569

 WASHOE CO
Ordered By: ECSUSER

OrderStart Date: 06/04/2018

Order End Date: 06/04/2018

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	0				zGenesys Display	3 X 60.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$0.00	\$0.00	\$0.00	Invoice	\$0.00	\$0.00

Ad Order Notes:

Sales Rep: Genesys

Order Taker: ECSUSER

Order Created 05/09/2018

Product	# Ins	Start Date	End Date
REN-Gazette Journal	1	06/04/2018	06/04/2018

06-04-18,

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Bill No. 1807
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 19th day of June 2018, 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. 1807
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 preamble of the ordinance recite that the Board of County Commissioners has created Washoe County, Nevada, District No. 24 (the "District") for the purpose of remedialing 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 ordinance clause is then set forth.

Section 1 nullifies 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 19, 2018 hearing on the ordinance, and for the 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 19, 2018; 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 have caused this notice to be published not less than 15 days prior to the hearing referred to above.

Dated this May 8, 2018.

BOARD OF COUNTY COMMISSIONERS OF
WASHOE COUNTY, NEVADA

By Marshall Beekbiger
Chair



ATTEST:

Jef Nancy Parent
County Clerk

**PROOF OF
PUBLICATION**

**IMAGE
ATTACHED**

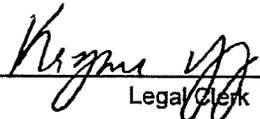
**STATE OF WISCONSIN SS.
COUNTY OF BROWN**

WASHOE CO
1001 E 9TH ST

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: 06/04/2018 - 06/04/2018, for exact publication dates please see last line of Proof of Publication below.

06/04/18



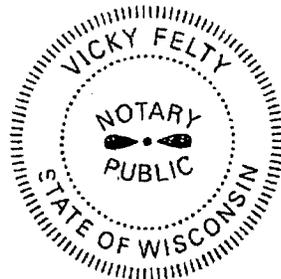
Legal Clerk

Subscribed and sworn before me this
4th of June 2018.



NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires: 9-19-21



Ad#:0002915426
P O :
of Affidavits : 0 0 0

Ad Content Is EPS
Creator: Mactive Distributor
Title: RJ-0000547323.pdf
CreationDate: 2018-05-10 08:58:58 -0400
BoundingBox: 0 0 355 360
DocumentProcessColors: Black

Bill No. 1907
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 19th day of June 2018, 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. 1907
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 preamble of the ordinance recite that the Board of County Commissioners has created Washoe County, Nevada, District No. 24 (the "District") for the purpose of remedialing 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 restites the action previously taken and Section 2 impose and apportion 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 19, 2018 hearing on the ordinance, and for the 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 19, 2018; 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 have caused this notice to be published not less than 15 days prior to the hearing referred to above.

Dated this May 8, 2018.

BOARD OF COUNTY COMMISSIONERS OF
WASHOE COUNTY, NEVADA

By Marsha Berkbigler
Chair



ATTEST:

1st Nancy Parent
County Clerk

Ad Sizing Information:

EPS: 4 Col x 5.0000" (4.93" x 5.00")

AD: 3 Col x 5.0000" (4.92" x 5.00")

WARNING: EPS size differs from AD size

EXHIBIT "F"

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



PART OF THE USA TODAY NETWORK

The Mason Valley News

"The Only Newspaper in the World that Gives a Damn About Yerington"

Order Confirmation for Ad #: 0002990662

Customer: WASHOE CO
Address: 1001 E 9TH ST
 RENO NV 89512 USA
Acct. #: REN-349008
Phone: 7753282569
 WASHOE CO
Ordered By: Doni Gassaway

OrderStart Date: 06/22/2018 Order End Date: 06/29/2018

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	1					2 X 38.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$483.00	\$0.00	\$483.00	Invoice	\$0.00	\$483.00

Ad Order Notes:

Sales Rep: kthor Order Taker: kthor Order Created: 06/20/2018

Product	# Ins	Start Date	End Date
REN-Gazette Journal	2	06/22/2018	06/29/2018
06-22-18, 06-29-18, REN-rgj.com	2	06/22/2018	06/29/2018
06-22-18, 06-29-18,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 06/20/2018

NOTICE OF ADOPTION
 WASHOE COUNTY ORDINANCE NO. 1621
 BILL NO. 1807

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on May 8, 2018 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on June 19, 2018 by the following vote of the Board of County Commissioners:

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. 1807)

Those Voting Aye: Marsha Berkgigler, Bob Lucey, Vaughn Hartung and Jeanne Herman.

Those Voting No: None

Those Absent: Kitty Jung.

This Ordinance shall be in full force and effect from and after June 29, 2018.

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, 2018.

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

Legal Desk
 Reno Gazette-Journal

Please publish Notice of Adoption of Ordinance No. 1621 in the Reno Gazette-Journal TWO TIMES—once on Friday, June 22, 2018 and once on Friday, June 29, 2018 and furnish proof of publication to:

County Clerk's Office,
 Post Office Box 11130,
 Reno, NV 89520-1130

No. 2990662

June 22 & 29, 2018

1621

PROOF OF PUBLICATION

**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1621
BILL NO. 1807**

**STATE OF WISCONSIN SS.
COUNTY OF BROWN**

WASHOE CO
1001 E 9TH ST

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: 06/22/2018 - 06/29/2018, for exact publication dates please see last line of Proof of Publication below.

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on May 8, 2018 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on June 19, 2018 by the following vote of the Board of County Commissioners:

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. 1807)

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

Those Voting No: None

Those Absent: Kitty Jung.

This Ordinance shall be in full force and effect from and after June 29, 2018.

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, 2018.

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

Legal Desk
Reno Gazette-Journal

Please publish Notice of Adoption of Ordinance No. 1621 in the Reno Gazette-Journal TWO TIMES--once on Friday, June 22, 2018 and once on Friday, June 29, 2018 and furnish proof of publication to:

County Clerk's Office,
Post Office Box 11130,
Reno, NV 89520-1130

No. 2990662

June 22 & 29, 2018

06/22/18, 06/29/18

Kayma

Legal Clerk

Subscribed and sworn before me this
29th of June 2018.

Vicky Felty

NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires: *9-19-21*



Ad#:0002990662
P O : Ordinance 1621
of Affidavits : 0 00

WCCOMP JUL 3'18 9:39

1621