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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **06/13/2008 - 06/20/2008**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: 





**JUL 1 2008**

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1371 NOTICE IS HEREBY GIVEN THAT: Bill No. 1549, Ordinance No.1371 entitled: AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LANDIN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING ANDCARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBINGOTHER MATTERS RELATING THERETO. PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the County Clerk of Washoe County, at her office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's website, [www.washoecounty.us/clerks](http://www.washoecounty.us/clerks). Such Ordinance was proposed on May 27, 2008 and passed and adopted at a regular meeting of the Washoe County Board of County Commissioners on June 10, 2008, by the following vote of the Board of County Commissioners: Those Voting Aye: Jim Galloway, Bonnie Weber, Robert M. Larkin David Humke, Kitty Jung Those Voting Nay: None Those Absent: None This ordinance shall be in full force and effect from and after June 20, 2008, i.e., the date of the second publication of such ordinance by its title only. IN WITNESS

✓  
**1371**

WHEREOF, The Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 567109 - June 13, 20, 2008

**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. 1549**

**ORDINANCE NO. 1371**

**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 County or District 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 County 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 of 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 of Environmental Protection of the State of Nevada (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 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 8,

1999, June 12, 2000, June 12, 2001, June 11, 2002, June 10, 2003, June 8, 2004, June 14, 2005, June 13, 2006, June 12, 2007, and June 10, 2008 (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, a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

**WHEREAS**, the Board has heretofore determined 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 also determined that a portion of the costs of developing and carrying out the plan for remediation is to be paid from certain cash on hand and that a portion of such cost is also to be paid with a portion of the fee collected in 2008-2009; and

**WHEREAS**, the Board has heretofore determined that the cost of debt service on the bonds and 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 ("debt service"); 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 succeeded is \$350,000;

and

**WHEREAS**, the Board has determined and hereby determines that the annual amount necessary to pay the one year's cost of additional capital 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 \$2,150,000.00; and

**WHEREAS**, it is therefore necessary to raise \$2,500,000 in fiscal year 2008-2009 (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 currently 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, 2007, 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 28, 2008 a list, entitled "District No. 24 (Groundwater Remediation) 2008 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 28, 2008. 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 for the issuance of the Bonds.

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, 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 ten (10) working days before the date set for such hearing, i.e., at least ten (10) working days before the 10th day of June, 2008, 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 5:30 p.m., on Tuesday, the 10th day of June 2008, 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 10, 2008 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 10, 2008; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the ordinance; and provide a severability clause.

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

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

Dated this May 27, 2008.

/s/ Amy Harvey  
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 Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner \_\_\_\_\_ on May 27, 2008, 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 10, 2008, 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 \_\_\_\_, 2008, 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 10, 2008.

/s/ Robert Larkin  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Amy Harvey  
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 27th day of May, 2008.

Proposed by Commissioner Galloway

Passed the 10th day of June, 2008.

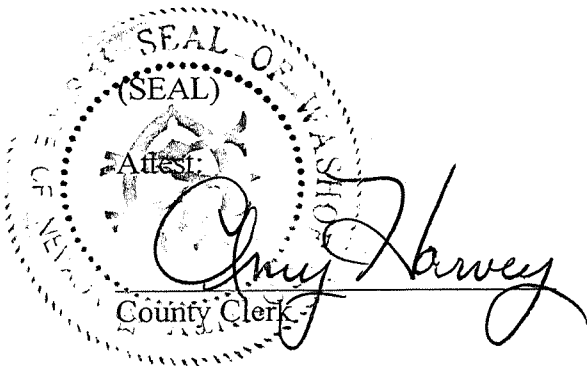
Those Voting Aye: Larkin  
Weber  
Hunke  
Galloway  
Jung

Those Voting Nay: none

Those Absent: none

Robert M Larkin

Chairman  
Board of County Commissioners  
Washoe County, Nevada



This ordinance shall be in force and effect from and after the 20<sup>th</sup> day of June, 2008, i.e., the date of the second publication of such ordinance by its title only.





(a) By mailing a copy of the notice to each member of the Board,

(b) By posting a copy of the notice at the principal office of the Board, or if there is no principal office, at the building in which the meeting was held, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

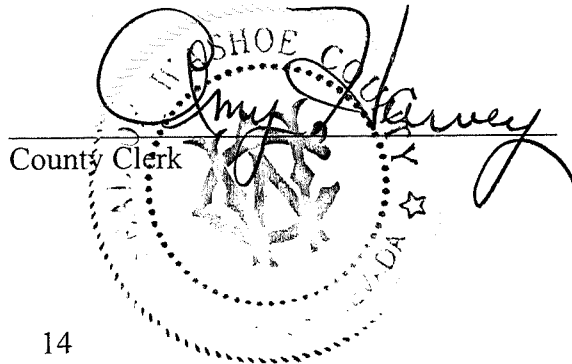
1. Washoe County Administration Complex  
1001 East Ninth Street  
Reno, Nevada
2. Washoe County Courthouse  
Virginia and Court Streets  
Reno, Nevada
3. Washoe County Library  
301 South Center Street  
Reno, Nevada
4. Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

(c) By mailing a copy of the notice to each person, if any, who had requested notice of the meetings of the Board in the same manner in which notice is required to be mailed to a member of the Board.

5. A copy of the notices so given is attached to this certificate as Exhibit B and C.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of Washoe County, Nevada, this June 10, 2008.

(SEAL)

County Clerk  


**EXHIBIT "A"**

**(Attach Minutes of June 10 Hearing on Ordinance)**

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

TUESDAY

2:00 P.M.

JUNE 10, 2008

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Commissioner**  
**David Humke, Commissioner**  
**Kitty Jung, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Paul Lipparelli, Legal Counsel**

The Board met 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:

**08-576      AGENDA ITEM 4 – ANNOUNCEMENTS**

**Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)”**

Katy Singlaub, County Manager, stated Agenda Item 15, update and possible action on the Fiscal Year 2007/08 Budget, would be pulled. She explained Agenda Item 26, Appeal Case No. AX08-004 (Ann M. Nichols) would be opened and continued to June 24, 2008. Ms. Singlaub read a statement concerning the recent events regarding the Water Resources Department.

Commissioner Humke said the Regional Transportation Commission was promoting ridership for the senior citizens in the community.

Commissioner Weber commented on the Village Center Park and grand opening of the Cold Springs YMCA and noted the YMCA presently had 640 family memberships. She said the Swan Lake Nature Study was scheduled for June 12, 2008. Commissioner Weber reported the North Valley Library celebrated the 35th anniversary of the library system. She was concerned about the closure of libraries and the reduction of hours and felt it was a policy question. She requested a future agenda item to discuss the authority of the Board of Library Trustees and the authority the Board of County Commissioners had over the Board of Library Trustees. Ms. Singlaub indicated that report was underway.

08-619      **AGENDA ITEM 22 – ORDINANCE NO. 1370 - BILL NO. 1548 -  
AMENDING ORDINANCE NO. 1000 - WATER RESOURCES  
DEPARTMENT**

**5:30 p.m.**

**Agenda Subject:** “Second reading and adoption of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (groundwater remediation); and providing other matters relating thereto. (Bill No. 1548)”

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

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1370, Bill No. 1548, entitled, "**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO, (BILL NO. 1548)**" be approved, adopted and published in accordance with NRS 244.100.

08-620      **AGENDA ITEM 23 – ORDINANCE NO. 1371 - BILL NO. 1549 –  
DISTRICT NO. 24 (GROUNDWATER REMEDIATION) WATER  
RESOURCES DEPARTMENT**

**5:30 p.m.**

**Agenda Subject:** “Second reading and 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 prescribing other matters relating thereto. (Bill No. 1549)”

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

On motion by Commissioner Jung, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1371, Bill No. 1549, 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. 1549),**" be approved, adopted and published in accordance with NRS 244.100.

08-621

**AGENDA ITEM 24 – ORDINANCE NO. 1372 - BILL NO. 1550 –  
DEVELOPMENT AGREEMENT CASE NO. DA06-001 –  
TENTATIVE SUBDIVISION MAP CASE NO. TM04-005  
COMMUNITY DEVELOPMENT**

**5:30 p.m.**

**Agenda Subject:** “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case No. DA06-001 for Tentative Subdivision Map Case No. TM04-005 for Warm Springs Ranch Subdivision as previously approved by the Washoe County Planning Commission; and if adopted, authorize Chairman to execute Amendment to Initial Development Agreement for Warm Springs Ranch. (Bill No. 1550)”

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

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1372, Bill No. 1550, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING DEVELOPMENT AGREEMENT CASE NO. DA06-001 FOR TENTATIVE SUBDIVISION MAP CASE NO. TM04-005 FOR WARM SPRINGS RANCH SUBDIVISION AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION. (BILL NO. 1550)," be approved, adopted and published in accordance with NRS 244.100.

08-622

**AGENDA ITEM 29**

**Agenda Subject:** “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).”

Commissioner Galloway said the first installment was received for undergrounding for the Boulder Bay project. He said staff informed him that no relation or a duty to perform in exchange for the agreement was honored.

\* \* \* \* \*

**8:57 p.m.** There being no further business to come before the Board, on motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the meeting be adjourned.

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**ROBERT LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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**AMY HARVEY**, County Clerk  
and Clerk of the Board of  
County Commissioners

*Minutes Prepared by:  
Stacy Gonzales, Deputy County Clerk*

**EXHIBIT "B"**

**(Attach Copy of Notice of May 27 Meeting)**



**COUNTY COMMISSIONERS**

Bob Larkin, Chairman  
Bonnie Weber, Vice-Chairman  
Jim Galloway  
David Humke  
Kitty Jung

**COUNTY MANAGER**

Katy Singlaub

**ASSISTANT  
DISTRICT ATTORNEY**

Melanie Foster

**AGENDA**

**WASHOE COUNTY BOARD OF COMMISSIONERS**

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

**May 27, 2008**

**2:00 p.m.**

**NOTE:** Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

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

**Public Comment** during the Commission Meeting on May 27, 2008 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

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

9 p.m.

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

28. Central Truckee Meadows Remediation District--Water Resources.

Hold a public hearing to consider comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District. (All Commission Districts.) *Continued from May 13, 2008 County Commission Agenda.*

AND

Introduction and first reading of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Second reading and adoption to be set for June 10, 2008.)

AND

Introduction and first reading of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Second reading and adoption to be set for June 10, 2008.)

29. Modify the Development Standards for a Home-based Business License--Community Development.

Consider the request by Nathan E. Robison to modify the development standards for the home-based business license issued to Mr. Robison dba Robison Engineering Co., Inc. at 12810 Fellowship Way (APN 049-182-06) in Reno to allow two non-resident employees, parking on-site for two employee vehicles, and an exterior sign advertising the business. (Commission District 2.)

30. Development Agreement Case No. DA006-001--Tentative Subdivision Map Case No. TM04-005, Warm Springs Ranch--Community Development.

Consider adoption of Development Agreement Case No. DA06-001 for Tentative Subdivision Map Case No. TM04-005, Warm Springs Ranch, located in the Warm Springs Specific Plan, pursuant to Nevada Revised Statutes 278.0201 through 278.0207. The sole purpose of this amendment to the Development Agreement is to extend the expiration date of said subdivision map until June 29, 2009 and upon sixty (60) days written request from Landowner, the Director of the Department of Community Development of Washoe County may, in his sole discretion, grant an additional one (1) year extension of time to file the final map from June 29, 2009 to June 29, 2010. [APN: 077-090-03, 077-090-07, 077-090-13, 077-090-14, 077-090-15, 077-340-04, 077-340-05, 077-340-37, 077-340-44, 077-340-45]. (Commission District 4.)

**AND IF APPROVED**

**EXHIBIT "C"**

**(Attach copy of Notice of June 10 Meeting)**

COUNTY COMMISSIONERS

Bob Larkin, Chairman  
Bonnie Weber, Vice-Chairman  
Jim Galloway  
David Humke  
Kitty Jung

COUNTY MANAGER

Katy Singlaub

ASSISTANT  
DISTRICT ATTORNEY

Melanie Foster

**AGENDA**

**WASHOE COUNTY BOARD OF COMMISSIONERS**

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

**June 10, 2008**

**2:00 p.m.**

**NOTE:** Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

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

**Public Comment** during the Commission Meeting on June 10, 2008 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

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

- 5:30 p.m.**
18. Second reading and adoption of an Ordinance amending Washoe County Code by moving the Health Benefits Program from Risk Management to the Department of Human Resources; provide for the Director of Finance to maintain oversight of the Health Benefits Program; move the administration of the pre-funded Retiree Health Benefits Fund to the Director of Finance and other matters properly relating thereto--District Attorney. (Bill No. 1552)
  19. Second reading and adoption of Ordinance amending the Washoe County Code by adding a provision which allows the board of county commissioners to increase the amount of sick leave payoff to departing employees, and other matters properly relating thereto--District Attorney. (Bill No. 1553)
  20. Second reading and adoption of an Ordinance approving the amendment of the Washoe County Code, Chapter 110, Development Code, Article 302, allowed uses and Article 304, use classification system, to establish "public service yard" as a new use type within certain regulatory zones in Washoe County--Community Development. (Bill No. 1554)
  21. Second reading and adoption of an Ordinance reorganizing the existing NRS chapter 473 Sierra Fire Protection District into a fire protection district created and governed by NRS 474.460 to 474.540, inclusive; describing the boundaries thereof and the territory included therein; authorizing contracts between the district and Washoe County; and providing other matters properly relating thereto--District Attorney. (Bill No. 1555)
  22. Second reading and adoption of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (groundwater remediation); and providing other matters relating thereto--Water Resources. (Bill No. 1548)
  23. Second reading and 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 prescribing other matters relating thereto--Water Resources. (Bill No. 1549)
  24. Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case No. DA06-001 for Tentative Subdivision Map Case No. TM04-005 for Warm Springs Ranch Subdivision as previously approved by the Washoe County Planning Commission; and if adopted, authorize Chairman to execute Amendment to Initial Development Agreement for Warm Springs Ranch--Community Development. (Bill No. 1550)

**EXHIBIT "D"**

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

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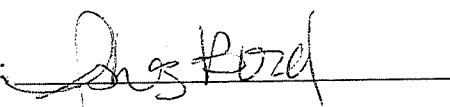
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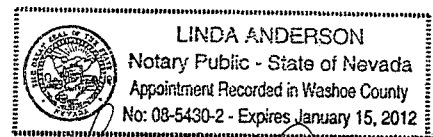
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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **05/30/2008 - 05/30/2008**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed:   
**MAY 30 2008**





**Proof of Publication**

NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Washoe County Board of Commissioners will hold a public hearing in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, on Tuesday, June 10, 2007 at 5:30 p.m. to consider: 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 5:30 p.m., on Tuesday, the 10th day of June 2008, 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. 1549 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

1371



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 10, 2008 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 10, 2008; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the ordinance; and provide a severability clause. Copies of the proposed ordinance are on file in the office of the Washoe County Clerk at the Washoe County Courthouse, Virginia and Court Streets, Reno, Nevada, for public examination. The Board shall adopt or reject the ordinance (or the ordinance as amended) within 35 days after the date of the final public hearing. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has ordered this notice to be published. Dated this May 27, 2008. Anyone wishing to protest or affirm may do so by appearing at the above-named time and place. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 562529, May 30, 2008

**EXHIBIT "E"**

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

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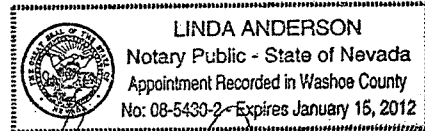
STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **06/13/2008 - 06/20/2008**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *[Signature]*

**JUL 1 2008**



*Linda Anderson*

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1371 NOTICE IS HEREBY GIVEN THAT: Bill No. 1549, Ordinance No.1371 entitled: AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LANDIN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING ANDCARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBINGOTHER MATTERS RELATING THERETO. PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the County Clerk of Washoe County, at her office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's website, www.washoecounty.us/clerks. Such Ordinance was proposed on May 27, 2008 and passed and adopted at a regular meeting of the Washoe County Board of County Commissioners on June 10, 2008, by the following vote of the Board of County Commissioners: Those Voting Aye: Jim Galloway, Bonnie Weber, Robert M. Larkin David Humke, Kitty Jung Those Voting Nay: None Those Absent: None This ordinance shall be in full force and effect from and after June 20, 2008, 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. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 567109 - June 13, 20, 2008