

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. 1979

ORDINANCE NO. 11089

**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

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

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

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

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

**WHEREAS**, subsection 3 of NRS § 540A.250 provides that:

“The District created pursuant to this section must include, without limitation:

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

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

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

**WHEREAS**, pursuant to NRS § 540A.250, the Board has had prepared for it a plan for remediation designated the “Central Truckee Meadows Remediation District Final Work Plan February 22, 1996” as updated by the “Central Truckee Meadows Remediation District Remediation Management Plan” dated October 28, 2002 (as updated, the “Plan for Remediation”); and

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

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

**WHEREAS**, the Board pursuant to Ordinance No. 1000 adopted and approved on November 14, 1997, as amended by ordinances adopted and approved on June 16, 1998, June 22, 1999, June 12, 2000, June 12, 2001, June 11, 2002, June 9, 2003, June 22, 2004, June 14, 2005, June 13, 2006, June 12, 2007, June 10, 2008, June 9, 2009, June 22, 2010, June 14, 2011, June 12, 2012, June 11, 2013, June 17, 2014, June 9, 2015, July 12, 2016, June 13, 2017, June 19, 2018, June 11, 2019, June 16, 2020, and June 8, 2021 (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 2021; 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 \$3,476,757.19; and

**WHEREAS**, it is therefore necessary to raise \$1,250,000 in fiscal year 2022-2023 (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, 2021, in which, in the cases of properties within the District where retail water service was not provided for a full calendar year, or where a full calendar year's billing was not available, the estimated amount billed for water for a full calendar year was provided or developed, taking into account a partial year's billing extended to 12 months, or an average of fees on parcels of property within comparable zonings or uses; and

**WHEREAS**, there has been prepared and filed with the County Clerk on April 11, 2022 a list, entitled "District No. 24 (Groundwater Remediation) 2021 Fee Apportionment List" (the "Fee Apportionment List"), of each parcel of property within the District (excluding parcels owned by the United States) and an apportionment of the Fiscal Years' Amount to be raised by the fees described above to each parcel of land in the District, which apportionment is based on the amount billed to that parcel for water, weighted and adjusted as described in paragraphs (b), (c) and (d) of subsection 1 of NRS § 540A.265; and

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

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

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

Section 2. For the purpose of paying the cost of developing and carrying out the Plan for Remediation, there is hereby imposed against each of the lots, tracts and parcels of land in the District (except property owned by the Federal Government), the amount shown for that tract or parcel of land in the Fee Apportionment List as filed in the office of the County Clerk on April 11, 2022. 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 21<sup>st</sup> day of June, 2022, 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 21<sup>st</sup> day of June 2022, 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.** 1879

**ORDINANCE NO.** 1689

**(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 21, 2022 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 21, 2022; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the ordinance; and provide a severability clause.

Copies of the proposed ordinance are on file in the office of the Washoe County Clerk at the Washoe County Administrative Complex, 1001 East Ninth Street,, Reno, Nevada, for public examination. The Board shall adopt or reject the ordinance (or the ordinance as amended) within 35 days after the date of the final public hearing.

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

Dated this May 10, 2022.

/s/ Jan Galassini  
County Clerk

(SEAL)

(End of Form for Publication)

Section 7. This ordinance shall be in effect from and after its publication as hereinafter provided, and after this ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this ordinance shall be published by title only, together with the names of the Commissioners voting for or against its passage, and with a statement that typewritten copies of said ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette-Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to NRS § 244.100 and all laws thereunto enabling, such publication to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

BILL NO. 1079

ORDINANCE NO. 11089

**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Administrative Complex, 1001 East Ninth Street,, Reno, Nevada; and that said ordinance was proposed by Commissioner Lucy on May 10, 2022, 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 21, 2022, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Lucy, Herman, Hill

Those Voting Nay: None

Those Absent: Hartung, Jung

This ordinance shall be in full force and effect from and after July 1, 2022, 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 21, 2022.

/s/ Vaughn Hartung  
Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Jan Galassini  
County Clerk

(End of Form of Publication)

Section 8. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Proposed on the 10<sup>th</sup> day of May, 2022.

Proposed by Commissioner Lucy.

Passed the 21<sup>st</sup> day of June, 2022.

Those Voting Aye:

Lucy, Herman, Hill

Those Voting Nay: None

Those Absent: Hartung, Jung



Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

Jan Dalasini  
County Clerk

This ordinance shall be in force and effect from and after the 1 day of July 2022, i.e., the date of the second publication of such ordinance by its title only.

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

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

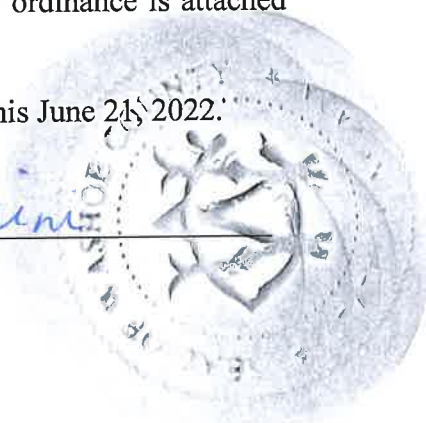
1. The foregoing pages are a full and correct copy of an ordinance introduced and read by title at the Board of County Commissioners of the County (the "Board") held on May 10, 2022 and adopted on June 21, 2022 which relates to District No. 24 (Groundwater Remediation). Minutes of the meeting on such District held on May 10, 2022 and of the hearing on the Ordinance held on June 21, 2022 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 24, 2022.

  
\_\_\_\_\_  
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 10, 2022 and June 21, 2022.

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 21, 2022.

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

(SEAL)

**EXHIBIT "A"**

**(Attach Copy of Minutes of May 10 Meeting on  
District No. 24 Boundary Amendment)**



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

TUESDAY

10:00 A.M.

MAY 10, 2022

PRESENT:

Vaughn Hartung, Chair  
Alexis Hill, Vice Chair\*, via Zoom  
Bob Lucey, Commissioner  
Kitty Jung, Commissioner  
Jeanne Herman, Commissioner

Janis Galassini, County Clerk  
Dave Solaro, Assistant County Manager  
Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:02 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

**22-0330**     **AGENDA ITEM 3** Appearance and presentation by Perry Di Loreto, President of the Board, Nevada Western Heritage Center Alliance, regarding the revitalization of the Reno Sparks Livestock Events Center property.

Perry Di Loreto, President of the Nevada Western Heritage Center Alliance Board, conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Property Ownership and Management; A Community Effort; Events at Reno Sparks Livestock Events Center; What is the Nevada Western Heritage Center Alliance (NWHCA); Who is leading the NWHCA (2 slides); Why is this effort important; Economic Impact; The Plan; Map (2 slides); and Current Priorities.

Mr. Di Loreto said the purpose of his presentation was to garnish and gather community support for the revitalization of the Reno-Sparks Livestock Events Center (RSLEC). There had been discussions for many years about issues at the RSLEC and talks of relocating it to University Farms. In 2015, the Reno Rodeo Association (RRA) formed a Legacy Committee to research the issue and engaged with professionals to try and understand what the process would look like and potential sources of funding. He noted the RRA committed \$1 million while still meeting all of its philanthropic commitments to the community.

Mr. Di Loreto said many different events take place at the RSLEC besides the rodeo. He opined the facility had served the community and the western agricultural

Planning Commission. Chair Hartung asked Mr. Solaro to explain the process of a reconsideration versus a development agreement.

Mr. Solaro reminded the item previously went through the public process and the Planning Commission had approved the regulatory zone change and the master plan amendment to a higher density. When the item came before the Board of County Commissioners (BCC), the BCC recalled there had been a development agreement on the property across the street from the project that was capped at five units per acre. Due to this, the Board directed staff to work with the applicant to create a development agreement to limit the densities on the property in a way that was similar to what had been done on the property across the street from the project.

Mr. Solaro explained if the Board moved to reconsider the item, Agenda Item 18 would be opened and the Board would decide to either accept the report of the Planning Commission, deny it, or modify the report. If the Board chose to modify the decision of the Planning Commission, the item would go back to the Planning Commission for another review and report. After that, the item would go to the BCC and then to Regional Planning. He noted if the Board approved the requested action, it would lessen the density that had already been approved through the public process.

Vice Chair Hill reaffirmed her second on the motion to reconsider the vote. Chair Hartung noted the BCC had denied the high-density because it traveled with the land. He said developmental agreements were historically time-sensitive and did not accompany the land itself. Assistant District Attorney Nathan Edwards replied that Chair Hartung's statement was generally correct. Chair Hartung asked what the benefit was for staff if the Board were to reconsider the vote. Attorney Edwards said the applicants would have to go through the regular intake process again, which included filing an application and paying a fee. The application would be vetted and reviewed and would eventually move to the BCC agenda for a first reading and a possible second reading.

Chair Hartung asked Mr. Solaro about the staff time involved if the Board were to reconsider the vote. Mr. Solaro responded that the development agreement approach required more staff time and effort than the reconsideration that was before the Board that day. He noted the majority of the work regarding the process had already been completed by staff. If the Board were to request the project go through the development agreement process, staff would have to start some of that procedure over again. He said staff in the Planning Division had been inundated with development agreements and intakes on a monthly basis. He noted the Planning Division used to have an average of 5 a month, whereas the department currently received close to 20 a month.

On motion by Commissioner Herman, seconded by Vice Chair Hill, which motion failed on a 3-2 vote, it was ordered that Agenda Item 17 not be reconsidered and the Board would not move into Agenda Item 18.

**22-0352**      **AGENDA ITEM 19** 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 21, 2022; 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 21, 2022. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area Boundary and Contaminant Boundary based on continuous analysis and modeling efforts. Community Services. (All Commission Districts.)

County Clerk Jan Galassini read the title for Bill No. 1878.

There was no response to the call for public comment.

Bill No. 1878 was introduced by Commissioner Lucey, and legal notice for final action of adoption was directed.

County Clerk Jan Galassini read the title for Bill No. 1879.

There was no response to the call for public comment.

Bill No. 1879 was introduced by Commissioner Lucey, and legal notice for final action of adoption was directed.

Commissioner Herman asked whether the County had previously charged groundwater remediation fees and Chair Hartung responded yes. Commissioner Herman asked whether the dollar amount of the current fees was similar to previous charges.

Division Director of Engineering and Capital Projects Dwayne Smith explained the Central Truckee Meadows Remediation District Program's budget was the same each year when the contaminate boundary was updated. He said the service fee boundary was readjusted based on the budget and the number of customers. He noted the current year's variance was less than a dollar. Since the inception of the program, the County has charged a fee that allowed the County to manage, mitigate, and remediate tetrachloroethene (PCE) in groundwater.

Commissioner Herman asked how the program was progressing. Mr. Smith responded the management of PCE was done primarily through the stripping of PCE from the groundwater of municipal wells located in the contaminated plumes, which were mainly located in the downtown Reno area. The program also did spot work to remediate

PCE through other methods. Spot work, he explained, was currently being done with an individual who owned property directly over a contaminated plume. The State was a partner to the County to help direct remediation activities for the contaminated plumes.

Chair Hartung asked Commissioner Lucey to reintroduce Bill No. 1879. Chair Lucey reintroduced Bill No. 1879, and legal notice for final action of adoption was directed.

**22-0353**      **AGENDA ITEM 20** Public Hearing: Second reading and adoption of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 319, Short Term Rentals (STRs) by amending various sections in order to: (1) change the requirements for processing a tier 3 STR application from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission; (2) exclude overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces; (3) require the STR property owner(s)' notarized certification to include an attestation that the subject STR property is covered by insurance that provides for a minimum of \$500,000 liability coverage per occurrence; (4) repeal the requirement to submit a certificate of insurance; (5) provide that a bear box is required in the Incline Village General Improvement District's service territory following two confirmed trash violations; (6) modify the maximum occupancy calculation from one occupant for every 200 square feet of habitable space to two (2) occupants for each legally permitted bedroom, with the remainder of the home (excluding bedrooms) calculated as one occupant for every 200 square feet of habitable space; and all matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.)

The Chair opened the public hearing.

Assistant County Manager Dave Solaro read the title for Ordinance No. 1686, Bill No. 1876.

Mr. Solaro reminded a short-term rental ordinance had been adopted into the Development Code previously. At that time, the Board had been told staff would do their due diligence and collect data and make recommendations back to the Board regarding this matter. An update was given prior to the first reading of this item.

Ms. Brittany Wieke reminded the item was heard at a first reading the previous month and said she had a presentation if the Board desired to hear it.

County Clerk Jan Galassini stated an email received from Ms. Judith Miller would be placed on file.

**EXHIBIT "B"**

**(Attach Minutes of June 21 Hearing on Ordinance)**

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

TUESDAY

10:00 A.M.

JUNE 21, 2022

PRESENT:

Alexis Hill, Vice Chair  
Bob Lucey, Commissioner  
Kitty Jung, Commissioner  
Jeanne Herman, Commissioner

Janis Galassini, County Clerk  
Eric Brown, County Manager  
Nathan Edwards, Assistant District Attorney

ABSENT:

Vaughn Hartung, Chair

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

**22-0423      AGENDA ITEM 3 Public Comment.**

Ms. Beth Macmillan thanked the Board for its support. She thanked Washoe County Communications Director Nancy Leuenhagen for her support as a member of the Artown Board and the podcast opportunity. She shared that the Dragon Lights would take place throughout the arboretum at Rancho San Rafael Park, and Artown would be held at several venues including Hawkins Amphitheater, the University of Nevada, Reno, and Idlewild Park. She shared a video of Artown attractions, noting the events would begin in less than two weeks.

Ms. Tracey Hilton-Thomas read from the Bible. She expressed excitement about Agenda Item 8E2 as it related to traffic in District 4, and she requested further information regarding the referenced resolution. She pointed out the County had completed another round of contract negotiations and questioned why deputies with the Washoe County Sheriff's Office (WCSO) were receiving larger bonuses than other County employees. She opined this created tension at the WCSO among deputies and the rest of the staff. She voiced concern about Agenda Item 18 and believed there were already adequate resources to protect employees. She did not think the fund established through Item 18 would be used equitably and did not want taxpayers to have to contribute. She urged the Board to reject Item 18 and send it back to be amended.

the condition needed to be changed. Commissioner Lucey agreed to change the motion and the seconder agreed.

On motion by Commissioner Lucey, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that the decision of the Board of Adjustment be reversed and Special Use Permit Case Number WSUP22-0006 (Reno Tahoe Gateway) be approved. The reversal was based on the Board's ability to make the findings required by WCC Section 110.810.30, Findings.

**22-0461**      **AGENDA ITEM 23** Public Hearing and possible action to: (1) consider a report of each property delinquent on its utility charges and the amount of each property's delinquency, along with any objections to the report; and, (2) After considering the report and any objections to it, determine whether to adopt the report and correspondingly adopt Resolution 22-060 to collect certain delinquent utility charges on the tax roll. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 23 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

**22-0462**      **AGENDA ITEM 25** Public Hearing and possible action to adopt an ordinance amending Ordinance No. 1000 to change the boundaries of District No. 24 (Groundwater Remediation); AND; Public Hearing and possible action to adopt an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area Boundary and Contaminant Boundary based on continuous analysis and modeling efforts. Community Services. (All Commission Districts.)

Jan Galassini, County Clerk, read the title for Ordinance No. 1688, Bill No. 1878.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that

Ordinance No. 1688, Bill No. 1878, be adopted, approved, and published in accordance with NRS 244.100.

**4:02 p.m. Commissioner Jung left the meeting.**

Jan Galassini, County Clerk, read the title for Ordinance No. 1689, Bill No. 1879.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 3-0 vote with Chair Hartung and Commissioner Jung absent, it was ordered that Ordinance No. 1689, Bill No. 1879, be adopted, approved, and published in accordance with NRS 244.100.

**4:04 p.m. Commissioner Jung returned to the meeting.**

**22-0463** **AGENDA ITEM 26** Public Hearing: Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) by revising provisions to clarify the duties of the county manager and chief information officer; and amending Washoe County Code Chapter 15 (County Finances; Purchasing) by repealing redundant provisions and the Washoe County Bond Bank ordinance; adding a section levying a \$25.00 handling charge for payments denied by a bank; and revising provisions related to: definitions pertaining to accounting systems and policies; the basis of accounting for various fund types; the creation and abolishment of county funds; definitions pertaining to property control; property control requirements; policies and procedures related to donations of property, cash contributions and grant funding; procedures for lost or abandoned property; procedures for receiving cash and negotiable instruments; the collections division; procedures for establishing new accounts; the composition of the investment committee; the time period between reviews of rates charged by the county for its various services; overpayments to the county and refunds; updating the responsibilities of the department of finance; removing references to the director of finance and creating the position of chief financial officer; the powers and duties of the comptroller; the position of budget manager; and the powers and duties of the purchasing and contracts manager, including increasing the limit for purchasing supplies, materials, equipment and contractual services from \$100,000 or less to \$300,000 or less; and all matters necessarily connected therewith and pertaining thereto. Manager's Office. (All Commission Districts.)

County Clerk Jan Galassini read the title for Ordinance No. 1690, Bill No. 1880.



**EXHIBIT "C"**

**(Attach Copy of Notice of May 10 Meeting)**



COUNTY COMMISSIONERS  
Chair, Vaughn Hartung, District 4  
Vice-Chair, Alexis Hill, District 1  
Bob Lucey, District 2  
Kitty Jung, District 3  
Jeanne Herman, District 5

COUNTY MANAGER  
Eric P. Brown

## NOTICE OF MEETING AND AGENDA

ASSISTANT DISTRICT ATTORNEY  
Nathan Edwards

### WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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

COUNTY CLERK  
Janis Galassini

May 10, 2022  
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 voted on in a block are considered a single item for purposes of public comment on action items as provided below in the description of the parameters for "Public Comment" section, so that there will be only one period of public comment on the block vote; any public comment made during that period may pertain to any of the items being voted on in the block, but there will not be separate public comment periods for each item within the 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.** In compliance with the Americans with Disabilities Act, the Washoe County Commission Chambers are accessible and those requiring accommodation for this meeting should notify the Office of the County Manager at (775) 328-2000, 24 hours prior to the meeting.

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

**Public Comment.** Members of the public may also submit comments by mail, email to [Washoe311@washoecounty.gov](mailto:Washoe311@washoecounty.gov), or voice message at: (775) 328-2003. The County will make reasonable efforts to include all comments received by 4:00pm on May 9, 2022 by email and voicemail into the record. Comments are limited to 3 minutes per person and will be entered into the record only. Voicemails will no longer be played for broadcast and emails will not be read by the Clerk.

**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."

19. 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 21, 2022;

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 21, 2022. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area Boundary and Contaminant Boundary based on continuous analysis and modeling efforts. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

**Attachments:** [BCC 05-10-22 - Staff Report - CTMRD 2022 Fee and Boundary Ordinance Intro](#)  
[BCC 05-10-22 - Attachment 1 - 2022 Boundary Ordinance](#)  
[BCC 05-10-22 - Attachment 2 - Prelim 2021 Fee Year Boundary Map + New Parcels](#)  
[BCC 05-10-22 - Attachment 3 - 2022 Fee Ordinance](#)  
[BCC 05-10-22 - Attachment 4 - Prelim Service Fee Boundary Map](#)  
[BCC 05-10-22 - Attachment 5 - Prelim Fee Schedule](#)

**EXHIBIT "D"**

**(Attach Copy of Notice of June 21 Meeting)**

COUNTY COMMISSIONERS  
Chair, Vaughn Hartung, District 4  
Vice-Chair, Alexis Hill, District 1  
Bob Lucey, District 2  
Kitty Jung, District 3  
Jeanne Herman, District 5



COUNTY MANAGER  
Eric P. Brown

## NOTICE OF MEETING AND AGENDA

ASSISTANT DISTRICT ATTORNEY  
Nathan Edwards

### WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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

COUNTY CLERK  
Janis Galassini

June 21, 2022  
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 voted on in a block are considered a single item for purposes of public comment on action items as provided below in the description of the parameters for "Public Comment" section, so that there will be only one period of public comment on the block vote; any public comment made during that period may pertain to any of the items being voted on in the block, but there will not be separate public comment periods for each item within the 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.** In compliance with the Americans with Disabilities Act, the Washoe County Commission Chambers are accessible and those requiring accommodation for this meeting should notify the Office of the County Manager at (775) 328-2000, 24 hours prior to the meeting.

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

**Public Comment.** Members of the public may also submit comments by mail, email to Washoe311@washoecounty.gov, or voice message at: (775) 328-2003. The County will make reasonable efforts to include all comments received by 4:00pm on June 17, 2022 by email and voicemail into the record. Comments are limited to 3 minutes per person and will be entered into the record only. Voicemails will no longer be played for broadcast and emails will not be read by the Clerk.

**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.

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

24. Public Hearing: To consider and either approve or deny an Outdoor Festival Business License pursuant to Washoe County Code 25.263 through 25.305, inclusive, and associated license conditions for an application submitted by the Incline Village Crystal Bay Visitors Bureau, on behalf of the Incline Village Crystal Bay Drone SkyShow Coalition, to hold a "Drone SkyShow" event on July 4, 2022 at 948 Incline Way (APN: 127-030-15) in Incline Village at the Incline Village Visitor Center Park and ball fields.

Set-up for traffic control will begin at 5:00 a.m. on July 4, 2022 and the Drone SkyShow event will occur from 8:30 p.m. to 11:00 p.m. Event take-down and cleanup will begin immediately following the Drone SkyShow. A community clean-up day is scheduled for Tuesday, July 5, 2022 that will incorporate community volunteers, Incline Village Rotary members, and partner staff. Event organizers estimate 3,000 spectators/attendees. If approved, authorize the Director of the Planning and Building Division, Community Services Department to issue the license when all pre-event conditions have been met. Community Services. (Commission District 1.) FOR POSSIBLE ACTION

**Attachments:** [BCC 6-21-22 - Staff Report - IVCB July 4, 2022 Outdoor Festival](#)  
[BCC 6-21-22 - Attachment A - Outdoor Festival License](#)  
[BCC 6-21-22 - Attachment B - Conditions](#)  
[BCC 6-21-22 - Attachment C - Event Application](#)

25. Public Hearing and possible action to adopt an ordinance amending Ordinance No. 1000 to change the boundaries of District No. 24 (Groundwater Remediation); AND; Public Hearing and possible action to adopt an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area Boundary and Contaminant Boundary based on continuous analysis and modeling efforts. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

**Attachments:** [BCC 06-21-22 - Staff Report - CTMRD 2022 Fee and Boundary Ordinance Intro](#)  
[BCC 06-21-22 - Attachment 1 - 2022 Boundary Ordinance](#)  
[BCC 06-21-22 - Attachment 2 - 2022 Fee Year Boundary Map + New Parcels](#)  
[BCC 06-21-22 - Attachment 3 - 2022 Fee Ordinance](#)  
[BCC 06-21-22 - Attachment 4 - 2022 Service Fee and Contaminant Boundary Map](#)  
[BCC 06-21-22 - Attachment 5 - Prelim Final Fee Schedule](#)

**EXHIBIT "E"**

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

PROOF OF  
PUBLICATION

STATE OF WISCONSIN SS.  
COUNTY OF BROWN

WASHOE CO  
1001 E NINTH ST BLDG D  
RENO, NV 89512  
ATTN

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the date: 5/13/2022 AND 5/13/2022 for exact publication dates please see last line of Proof of Publication below.


5/13/2022



Legal Clerk

WCCOMP MAY19'2217=12

Subscribed and sworn before me this  
13TH DAY OF MAY, 2022

  
NOTARY PUBLIC RESIDING  
AT STATE OF WISCONSIN  
COUNTY OF BROWN

Notary Expires: 5.15.23

Ad#: GCI0882900  
PO: PUBLIC NOTICE  
# of Affidavits: 1

NANCY HEYRMAN  
Notary Public  
State of Wisconsin





**EXHIBIT "F"**

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

PROOF OF  
PUBLICATION

STATE OF WISCONSIN SS.  
COUNTY OF BROWN

WASHOE CO  
1001 E NINTH ST BLDG D  
RENO, NV 89512  
ATTN

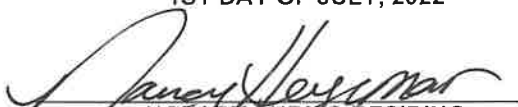
Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the date: 6/26/2022 AND 7/1/2022 for exact publication dates please see last line of Proof of Publication below.

6/26/2022; 7/1/2022



Legal Clerk

Subscribed and sworn before me this  
1ST DAY OF JULY, 2022



NOTARY PUBLIC RESIDING  
AT STATE OF WISCONSIN  
COUNTY OF BROWN

Notary Expires: 5-15-23

Ad#: GCI0904951  
PO: PUBLIC NOTICE  
# of Affidavits: 1

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

**BILL NO. 1879  
ORDINANCE NO. 1689  
(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.

**PUBLIC NOTICE IS HEREBY GIVEN** that typewritten copies of the above-numbered and entitled Ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Administrative Complex, 1001 East Ninth Street, Reno, Nevada; and that said Ordinance was proposed by Commissioner Lucey on May 10, 2022, 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 21, 2022, by the following vote of the Board of County Commissioners:

Those Voting Aye:	Bob Lucey, Alexis Hill, Jeanne Herman
Those Voting Nay:	None
Those Absent:	Vaughn Hartung, Kitty Jung

This Ordinance shall be in full force and effect from and after July 1, 2022, i.e., the date of the second publication of such Ordinance by its title only.

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

**DATED** this June 22, 2022

/s/ Vaughn Hartung  
Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Janis Galassini  
County Clerk