

8. to Howard D. Miller to operate COMMUNITY DATA CENTERS OF NORTHERN NEVADA, 12350 Jeppson Lane, Reno, Nevada - accounting and bookkeeping service (phone only).

MINUTES

Upon motion by Commissioner Rusk, seconded by Commissioner Coppa, which motion duly carried, it was ordered that the minutes of December 27, 1971, be approved as corrected, changing the figures \$58.40 to \$38.40, Item 71-1452.

72-17

CLAIMS

Upon motion by Commissioner Rusk, seconded by Commissioner Coppa, which motion duly carried, it was ordered that the demands against the County listed on Cumulative Voucher Sheets be approved, with the exception of items, Glen Allaback, in the amount of \$103.00, and A.T.A.T.A. Travel Service, in the amount of \$99.00, which was withheld for further explanation; that the Chairman and the Clerk of the Board be authorized to execute the same and they be presented as valid vouchers to the County Comptroller for him to issue warrants on the County Treasurer for payment.

72-18

CLAIM - DAVID C. BARNES

Upon the recommendation of C. G. Griswold, Chief Civil Deputy District Attorney, on motion by Commissioner Nelson, seconded by Commissioner Coppa, which motion duly carried, it was ordered that claim, in the amount of \$5,000.00, received from Seymour H. Patt, Attorney for claimant, David C. Barnes, for alleged unjustifiable incarceration, extradition from California and appearance at preliminary hearing, be denied.

72-19

PROBATION OFFICE - TRAVEL

On motion by Commissioner Coppa, seconded by Commissioner Nelson, which motion duly carried, it was ordered that Probation Officer Terry Cason be authorized to travel to Salem, Oregon, January 19, 1972, to attend the National Institute on Crime and Delinquency Planning Committee.

On motion by Commissioner Nelson, seconded by Commissioner Rusk, which motion duly carried, it was ordered that Probation Officer Gordon Woodard be authorized to travel to Bishop, California, to transport juveniles, January 5, 1972.

72-20

BILL NO. 281 - ORDINANCE NO. 187

Commissioner McKissick introduced an ordinance, which ordinance was read in full and is as follows:

Summary--An ordinance accepting the best bid for the Washoe County, Nevada, Highway Improvement Revenue (Motor Vehicle Fuel Tax) Bonds, Series November 1, 1971, in the aggregate principal amount of \$5,400,000.00; amending the 11-1-71 Bond Ordinance; and otherwise concerning the bonds.

BILL NO. 281

ORDINANCE NO. 187

(of Washoe County, Nevada)

January 5, 1972

AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA, HIGHWAY IMPROVEMENT REVENUE (MOTOR VEHICLE FUEL TAX) BONDS, SERIES NOVEMBER 1, 1971, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,400,000.00; ACCEPTING ON BEHALF OF THE COUNTY THE BEST BID FOR THE PURCHASE OF THE BONDS; DESIGNATING THE PURCHASER THEREOF; PROVIDING THE INTEREST RATES SUCH BONDS SHALL BEAR AND THE PURCHASE PRICE THEREFOR; FIXING OTHER DETAILS PERTAINING TO THE BONDS; AMENDING THE 11-1-71 BOND ORDINANCE AUTHORIZING THEIR ISSUANCE; OTHERWISE CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; BY DECLARING THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

(1) WHEREAS, the County of Washoe, in the State of Nevada, (herein sometimes designated as the "County" or merely the "Issuer" and as the "State," respectively), is a county incorporated and operating under the laws of the State; and

(2) WHEREAS, the County now owns, operates and maintains a street and highway system (herein sometimes designated as the "Facilities"); and

(3) WHEREAS, the Board of County Commissioners of the County (herein sometimes designated as the "Board" or merely the "Governing Body"), acting on the behalf and in the name of the County, pursuant to sections 373.010 through 373.200, Nevada Revised Statutes, and all laws amendatory thereof, and cited in section 373.010 thereof as the "County Motor Vehicle Fuel Tax Law" (herein sometimes designated as the "Project Act"), as supplemented by sections 350.500 through 350.720, Nevada Revised Statutes, and all laws amendatory thereof, and cited in section 350.500 thereof as the "Local Government Securities Law" (herein sometimes designated as the "Bond Act"), by sections 365.010 through 365.590, Nevada Revised Statutes, and all laws amendatory thereof, and concerning State motor vehicle fuel taxes (herein sometimes designated as the "Tax Act"), and by all other laws thereunto enabling, has authorized the issuance of the Issuer's negotiable, coupon, "Washoe County, Nevada, Highway Improvement Revenue (Motor Vehicle Fuel Tax) Bonds, Series November 1, 1971" (herein sometimes designated as the "1971(2) bonds" or merely as the "bonds"), in the aggregate principal amount of \$5,400,000.00, to defray wholly or in part the cost of the street and highway construction delineated in Ordinance No. 183 within the boundaries of the County (herein sometimes designated as the "Project"), by the introduction and adoption on the 15th day of November, 1971, of such ordinance (designated in section 101 thereof by the short title "11-1-71 Bond Ordinance" and herein sometimes merely designated as the "Bond Ordinance"); and

(4) WHEREAS, pursuant to Resolution No. 71-1313 (designated in the sixth preamble thereof as the "11-1-71 Public Sale Resolution" and herein sometimes merely designated as the "Public Sale Resolution"), also introduced and adopted by the Board on the 15th day of November, 1971, the Board provided for the public sale of the 1971(2) bonds and

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provided that sealed bids would be received and publicly opened for the bonds on the 15th day of December, 1971, at the hour of 11:30 o'clock a.m., Pacific Standard Time, in the Commissioners Chambers, Washoe County Courthouse, Virginia and Court Streets, in Reno, Nevada; and

(5) WHEREAS, after published and mailed advertisement therefor, sealed bids were so received and publicly opened at the designated place, date and hour; and the Issuer, acting by and through the County Treasurer and the Issuer's Financial Consultant, has tabulated and otherwise analyzed all bids so submitted for the purchase of the bonds and has reported the results thereof to the Governing Body; and

(6) WHEREAS, the Governing Body thereupon determined and declared that the bid submitted for the purchase of the bonds by John Nuveen & Co., (Inc.) (herein sometimes designated as the "Purchaser"), in Chicago, Illinois, and its associates, for a price consisting of the principal amount of such bonds, i.e., \$5,400,000.00, plus accrued interest thereon from their date to the date of their delivery, but no premium nor discount, the bonds bearing interest until their respective maturities at the rates hereinafter provided, and otherwise maturing, being secured and otherwise being issued as provided in the Bond Ordinance, as supplemented by the provisions set forth in the Issuer's Official Statement pertaining thereto, which Official Statement and the Official Notice of Bond Sale relating thereto were incorporated by reference thereto in such bid, constituted the best bid for the bonds submitted by a responsible bidder; and

(7) WHEREAS, the Purchaser deposited a good faith check in the amount of \$108,000.00 with the Issuer; and

(8) WHEREAS, the Governing Body has determined and does hereby declare that this instrument (sometimes designated by the short title "11-1-71 Post-Sale Ordinance") pertains to the sale, issuance and payment of the bonds; and

(9) WHEREAS, such declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of subsection 2, section 350.579, Bond Act; and

(10) WHEREAS, this instrument may accordingly be adopted as if an emergency now exists (as in fact it does) and may become effective at any time when an emergency instrument of the Issuer may go into effect; and

(11) WHEREAS, due to a deterioration of the highway system in the County over a period of years, due to a progressively larger and substantial increase in motor vehicular traffic during such period on the Facilities, due to the resultant traffic congestion which intermittently substantially impedes the flow of traffic and which is resulting in progressively larger and substantial economic losses to the inhabitants of and other Persons in the County and which intermittently constitutes a serious impediment to the movement of ambulances and fire, police and other emergency vehicles, thereby materially and

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adversely affecting the public health, welfare and safety, and due to the necessity of immediately acquiring funds to defray the Cost of the Project, the Improvements comprising which being urgently needed to relieve such traffic congestion and the resultant detrimental conditions, the Governing Body has determined and does hereby declare, that this instrument shall take effect from and after its passage and publication by title in accordance with law as if an emergency now exists (as in fact it does).

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

Section 1. The bid submitted by the Purchaser for the purchase of the bonds in the aggregate principal amount of \$5,400,000.00, be, and the same hereby is, accepted, for the purchase price hereinabove stated, the bonds being numbered, bearing interest from their date until their respective maturities, and maturing serially in regular numerical order on the first day of November in each of the designated amounts and years, as follows:

<u>Bond Numbers</u> (All Inclusive)	<u>Interest Rates</u> (Per Annum)	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1 - 11	6.50%	\$ 55,000.00	1972
12 - 23	6.50%	60,000.00	1973
24 - 36	6.50%	65,000.00	1974
37 - 50	6.50%	70,000.00	1975
51 - 65	6.50%	75,000.00	1976
66 - 81	6.50%	80,000.00	1977
82 - 98	6.50%	85,000.00	1978
99 - 117	6.50%	95,000.00	1979
118 - 137	6.50%	100,000.00	1980
138 - 158	6.25%	105,000.00	1981
159 - 181	6.25%	115,000.00	1982
182 - 206	6.25%	125,000.00	1983
207 - 233	6.25%	135,000.00	1984
234 - 261	6.25%	140,000.00	1985
262 - 291	6.10%	150,000.00	1986
292 - 323	6.10%	160,000.00	1987
324 - 358	6.10%	175,000.00	1988
359 - 395	6.10%	185,000.00	1989
396 - 435	6.10%	200,000.00	1990
436 - 478	6.20%	215,000.00	1991
479 - 524	6.20%	230,000.00	1992
525 - 573	6.20%	245,000.00	1993
574 - 626	6.20%	265,000.00	1994
627 - 683	6.20%	285,000.00	1995
684 - 744	6.20%	305,000.00	1996
745 - 809	6.20%	325,000.00	1997
810 - 879	6.20%	350,000.00	1998
880 - 954	6.20%	375,000.00	1999
955 - 1034	5.25%	400,000.00	2000
1035 - 1080	5.25%	230,000.00	2001.

Section 2. Paragraph (25) of subsection A, section 102, Bond Ordinance is hereby amended to read as follows:

(25) The term "11-1-71 Public Sale Resolution" is the short title for and means the instrument of the Governing Body, providing for the public sale of the 1971(2) bonds, providing for giving notice of such sale, and providing other details in connection therewith."

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Section 3. Each of the limitations and other conditions pertaining to the issuance of the bonds in the Project Act, the Bond Act, the Tax Act, the Bond Ordinance, the Public Sale Resolution, and in any other acts of the State and Federal Government and any other ordinances and resolutions of the Issuer supplemental thereto, has been met; and pursuant to section 350.708, Bond Act, this determination of the Governing Body that the limitations therein upon the issuance of the bonds thereunder have been met shall be conclusive in the absence of fraud or arbitrary and gross abuse of discretion.

Section 4. The officers of the Issuer be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this instrument, including, without limitation:

A. The printing of the bonds, including, without limitation, the printing on each bond of a certified true copy of bond counsel's approving opinion; and

B. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Governing Body and of the bond purchase price, the application of the bond proceeds to defray wholly or in part the Cost of the Project as stated in the Bond Ordinance, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof.

Section 5. All action heretofore taken (not inconsistent with the provisions of this instrument) by the Governing Body, the officers of the Issuer, and otherwise taken by the Issuer directed toward:

A. The Project; and

B. The issuance of the bonds for that purpose, in accordance with the Bond Ordinance, the Public Sale Resolution and this Post-Sale Ordinance, be, and the same hereby is, ratified, approved and confirmed, including without limitation the public sale of the bonds to the Purchaser as herein provided.

Section 6. The County Clerk is hereby authorized, instructed and directed to transmit a certified copy of this instrument:

A. To the Clerk of the City of Reno for its City Council,

B. To the Clerk of the City of Sparks for its City Council, and

C. To the County Treasurer.

Section 7. After any of the bonds are issued, this instrument shall constitute an irrevocable contract between the Issuer and the holder or holders of the bonds; and this instrument, if any bonds are in fact issued, shall be and shall remain irrevocable until the bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided, subject to the defeasance provisions in section 901, Bond Ordinance.

Section 8. This instrument may be amended or supplemented as provided by, and subject to the limitations in, article XI of the Bond Ordinance, and all provisions therein

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supplemental to article XI; but wherever the term "Instrument" is used therein, it shall be construed as a reference to this instrument.

Section 9. All by-laws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any by-law, order, resolution or ordinance, or part thereof, heretofore repealed.

Section 10. The Governing Body has expressed in the preambles of this instrument that it pertains to the sale, issuance and payment of the bonds, that this instrument may accordingly be adopted as if an emergency now exists and may become effective at any time when an emergency ordinance of the Issuer may go into effect. Consequently, pursuant to section 350.579 and to sections 244.095 through 244.115, Nevada Revised Statutes, final action shall be taken immediately, and this instrument shall be in effect from and after its publication by title and collateral statement as hereinafter provided.

Section 11. After this ordinance is signed by the Chairman of the Governing Body and attested and sealed by the County Clerk, this ordinance shall be published by its title only, together with the names of the commissioners voting for or against its passage, and with a statement that typewritten copies of such ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in Reno Evening Gazette, 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 section 244.100, Nevada Revised Statutes, and all laws thereunto enabling, such publication to be in substantially the following form:

(Form of Publication)

BILL NO. 281

ORDINANCE NO. 187

(of Washoe County, Nevada)

AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA, HIGHWAY IMPROVEMENT REVENUE (MOTOR VEHICLE FUEL TAX) BONDS, SERIES NOVEMBER 1, 1971, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,400,000.00; ACCEPTING ON BEHALF OF THE COUNTY THE BEST BID FOR THE PURCHASE OF THE BONDS; DESIGNATING THE PURCHASER THEREOF; PROVIDING THE INTEREST RATES SUCH BONDS SHALL BEAR AND THE PURCHASE PRICE THEREFOR; FIXING OTHER DETAILS PERTAINING TO THE BONDS; AMENDING THE 11-1-71 BOND ORDINANCE AUTHORIZING THEIR ISSUANCE; OTHERWISE CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; BY DECLARING THIS ORDINANCE PERTAINS TO THE SALE, ISSUANCE AND PAYMENT OF THE BONDS, PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and

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entitled ordinance are available for inspection by all interested parties at the office of the County Clerk of Washoe County, Nevada, at his office in the Washoe County Court-house, Reno, Nevada; and that such ordinance was proposed by Commissioner McKissick on the 5th day of January, 1972, and was passed at the same regular meeting on the 5th day of January, 1972, by the following vote of the Board of County Commissioners:

Those Voting Aye:	Joseph Coppa
	Howard F. McKissick, Sr.
	Dwight Nelson
	Robert F. Rusk
	Roy Pagni, Chairman

Those Voting Nay:	None
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Those Absent and Not Voting:	None
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This ordinance shall be in full force and effect from and after the 15th day of January, 1972, 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 5th day of January, 1972.

/s/ Roy Pagni  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ H. K. Brown  
Clerk

(End of Form of Publication)

Section 12. 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 5th day of January, 1972.

Proposed by Commissioner McKissick.

Passed on the 5th day of January, 1972.

Ayes:	Joseph Coppa
	Howard F. McKissick, Sr.
	Dwight Nelson
	Robert F. Rusk
	Roy Pagni, Chairman

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Nays: None

Absent: None

/s/ Roy Pagni  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ H. K. Brown  
Clerk

This ordinance shall be in force and effect from and after the 15th day of January, 1972, i.e., the date of the second publication of such ordinance by its title only.

72-21

APPOINTMENT - LAW LIBRARY TRUSTEES

On motion by Commissioner Rusk, seconded by Commissioner McKissick, which motion carried unanimously, it was ordered that John Thatcher and John McCune be reappointed to the Board of Law Library Trustees, for a one year term, expiring December 31, 1972.

72-22

RESOLUTION - RING ROAD

On motion by Commissioner Rusk, seconded by Commissioner Coppa, which motion duly carried, it was ordered that the following Resolution be adopted and duly executed:

RESOLUTION OF APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, TO STATE HIGHWAY DEPARTMENT FOR DESIGNATION, ESTABLISHMENT AND MAINTENANCE OF A PORTION OF RING ROAD AS A LIMITED ACCESS HIGHWAY OR FREEWAY

WHEREAS, Section 408.940 of Revised Statutes of Nevada provides that after and upon a resolution of the Board of Directors of the Department of Highways, the Department under the provisions of Chapter 408 of NRS may lay out, establish, acquire, open, construct, reconstruct, improve, maintain, repair, regulate, vacate or abandon freeways, including abutter's rights and access rights required for such freeways, with the approval of the board of county commissioners of the county in which such freeways may be proposed and with the approval of the city council of any incorporated city directly affected thereby; and

WHEREAS, the State Highway Engineer has submitted a plan for construction of a segment of Federal Aid Secondary Route 820 (Ring Road), as a limited access highway or freeway, Project No. S-SU-820, beginning at a point on U.S. 395 (North Virginia Street), approximately 300 feet south of the Catholic Mausoleum in the City of Reno, and proceeding easterly passing north or and adjacent to the Sierra Pacific Power Company substation, then proceeding north and east to an intersection with Sutro Street near Hug High School, approximately 1.395 miles; and

WHEREAS, it is anticipated that said segment of Ring Road will carry a heavy load of traffic and will become one of the principal arteries of travel in the City of Reno, County of Washoe; and

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