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STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

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: **10/31/03 - 11/07/03**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *Julia Ketcham*

NOV 7 2003


TANA CICCOTTI
 Notary Public - State of Nevada
 Appointment Recorded in Washoe County
 No: 02-75259-2 - Expires May 16, 2006
Tana Ciccotti

Proof of Publication

BILL NO. 1401 ORDINANCE NO. 1221 (of Washoe County, Nevada) AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; 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 350 South Center Street, Suite 100, Reno, Nevada; and that said Ordinance was proposed by Commissioner Galloway on October 14, 2003, 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 October 28, 2003, by the following vote of the Board of County Commissioners: Those Voting Aye:Humke, Shaw, Galloway, Sferrazza, Weber Those Voting Nay:(none) Those Absent:(none) This Ordinance shall be in full force and effect from and after November 7, 2003, 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: October 29, 2003. /s/David Humke
Chairman Board of County Commissioners Washoe County, Nevada (SEAL) Attest: /s/
Amy Harvey County Clerk No.126029 Oct 31; Nov 7, 2003

Summary - An ordinance creating Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road).

BILL NO. 1401
ORDINANCE NO. 1221
 (of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the Board of County Commissioners of the County of Washoe in the State of Nevada (the "Board," "County" and "State", respectively) deems it necessary to create Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road) (the "District"), for the purpose of acquiring and constructing a street project (the "Project" or "Street Project"), and to defray the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots and premises in said District; and

WHEREAS, by a resolution passed and approved August 12, 2003 (the "provisional order resolution"), the Board declared its determination to create the District for the purpose of acquiring and constructing the Project, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

WHEREAS, pursuant to the provisional order resolution, the Board gave notice (in the manner specified by NRS § 271.305) of the filing of the preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, and of the time and place of hearing thereon and the consideration of any hardship applications; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before the Board on Tuesday, September 9, 2003, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof, and manner of payment therefor, and as to the amount thereof to be assessed against said property and to file hardship applications for consideration on September 9, 2003; and

WHEREAS, all hardship applications and written and oral objections and protests received were duly considered, and the Board has determined that it is in the best interests of the District, the County, and the inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the owners of lots, tracts or parcels of land in the District representing less than half of the area to be assessed of all lots, tracts or parcels of land in the District filed written or oral objections thereto; and

WHEREAS, every hardship application was considered and none were granted and every written protest and other objection was found to be without sufficient merit and was overruled by the Board by a resolution passed and approved on September 9, 2003 except as stated in such resolution; and

WHEREAS, any person filing a written complaint, protest or objection shall have the right, within 30 days after the Board has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the County Engineer as engineer (the "Engineer") for the District presented to the Commission and filed with the Clerk the following documents:

(A) Revised, if necessary, final plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material, and the approximate thickness and wideness;

(B) Revised, if necessary, the estimate of the total cost of the Project and of each type of construction, the estimate being made on a lump sum, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing, and such other expenses as in the judgment of the Engineer

are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof; and

(C) A revised assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels" or "Preliminary Assessment Roll") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, the amounts of estimated preliminary assessments, the amount of maximum benefits estimated to be assessed against each tract or parcel of land in the District, the estimate being based on a per lot basis, as hereafter described and with an equitable adjustment having been made for assessments to be levied against any tract or parcel not specially benefited in direct proportion to the percentage applicable to that tract or parcel under the per lot basis used so that assessments according to benefits will be equal and uniform; and

WHEREAS, the Board has reviewed the documents submitted as aforesaid for the District; and

WHEREAS, the Board and officers of said County have done all things necessary and preliminary to the creation of the District, and the said Board desires now to authorize such Project by this Ordinance.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "Special Assessment District No. 35 (Rhodes Road) Creation Ordinance" (herein the "Ordinance").

Section 2. The Board has heretofore determined and does hereby determine:

A. That each and every hardship application and each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore has been by a resolution adopted and approved on September 9, 2003, overruled, and finally passed on by the Board except as otherwise provided in the resolution;

B. That the public convenience and necessity require creation of the District; and

C. That the creation of the District is economically sound and feasible.

Section 3. There shall be, and hereby is, created in the County an improvement district designated the "Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road)" (the "District") for the purpose of acquiring and constructing the Project as more particularly described below.

Section 4. The Project, which is hereby ordered to be constructed and acquired, shall be as shown on the final plans and specifications for the District filed with the County Clerk. The kind, character and location of the Project (without mentioning minor details) is as follows:

The Street Project is for the acquisition, construction and improvement of a street more particularly described as the importation of structural fill/Aggregate Base and grading for the construction of road subgrade, construction of a minimum of 22 foot wide AC paving with 2 foot minimum gravel shoulders on both sides, and incidental roadside drainage ditches, culverts, headwalls, and rip-rap, signage and surveying. The pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of aggregate base. The grading, paving, drainage, signing and survey monumentation are to be in accordance with the Standard Details and Specifications for Public Works Construction; and all grading, paving and incidental drainage, signing and surveying improvements will include all necessary excavations, filling, grading and appurtenances incidental thereto.

The Project is described in more detail on the Preliminary Plans and Specifications described herein. A substantial change in existing street elevation or grades will result from the Project. Except as shown in the preliminary plans, the character of the street improvements shall be as described in the preceding paragraph and approximately located as follows:

Beginning at the current terminus of asphalt paving being approximately 0.6 miles easterly of the intersection of Rhodes Road and U.S. Highway 395 extending southerly approximately 0.45 mile to existing asphalt paving.

The Project described above is to be constructed and acquired by the County at an estimated cost of \$278,000. All of such costs will be paid by the levy of special assessments against property in the District as further described below.

Section 5. The Project described above is to be constructed and acquired by the County at an estimated cost of \$278,000. All of such costs will be paid by the levy of special assessments against property in the District as further described below.

Section 6. The amount to be assessed for the Project will be levied upon all tracts in the District, i.e., upon each piece, lot, tract or parcel in the District, in proportion to the special benefits derived, provided that an equitable adjustment will be made for assessments levied against any tract or parcel of land not specially benefited so that the assessments according to the benefits are equal and uniform. The portion of the costs to be assessed against,

and the maximum amount of benefits estimated to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat. Accordingly, each parcel will be assessed in proportion to the estimate maximum special benefit that property will receive for the construction and acquisition of the Project. In order to determine the estimated maximum special benefit for each parcel, a modified zone/per parcel method is being used, and the District is being divided into 3 different zones of benefit.

Zone 1 includes parcels in the District fronting the Project (or are in close proximity to the Project roadway) and which the Project serves as primary access to U.S. 395 ("Zone 1 Parcels"). Seventeen parcels directly front the Project roadway and four parcels access the Project via access driveways or a County roadway. A total of 21 parcels are included in the Zone 1 Parcels. The estimated maximum benefit from construction and acquisition of the Project for each Zone 1 Parcel has been determined to at least equal a 15% increase of each parcel's land value (as shown in the Engineer's Report to the Board of County Commissioners on Benefits (the "Report"), on file as described below).

Zone 2 includes parcels not fronting the Project but will likely utilize the Project roadway as primary access to U.S. 395 given the proximity to the Project, but are further removed than Zone 1 ("Zone 2 Parcels"). Zone 2 parcels utilize Chance Lane east of Rhodes Road, Willomonte Rd, or driveways accessing existing paved Rhodes Road. A total of 24 parcels are included in the Zone 2 Parcels. The estimated maximum benefit from construction and acquisition of the Project for each Zone 2 Parcel has been determined to at least equal a 12.5% increase of each parcel's land value (as shown in the Report on file as described below).

Zone 3 includes parcels not fronting the Project and which the Project serves as primary/secondary access to HWY 395 (the "Zone 3 Parcels"). Zone 3 Parcels utilize existing paved roadways and may use the Project roadway for primary access. A total of 17 parcels are included in the Zone 3 Parcels. The estimated maximum benefit from construction and acquisition of the Project for each Zone 3 Parcel has been determined to at least equal a 10% increase of each parcel's land value (as shown in the Report on file as described below).

Each parcel's benefit was calculated by multiplying its land valuation by its percentage factor as indicated above for each Zone. The preliminary assessment for each parcel was determined by dividing the total cost of the Project by the aggregate benefit to all parcels

establishing a factor which is then multiplied by each parcel's benefit to determine each parcels assessment.

Section 7. The extent and boundaries of the District, i.e., a description of the land comprising the District including the parcels to be assessed consist of the streets being improved and each of the parcels described by Assessment Parcel Number ("APN") as follows:

No.	APN
1	01732005
2	01732022
3	01732023
4	01732024
5	01737221
6	01737226
7	01737227
8	01737228
9	01737229
10	01737230
11	01738012
12	01738019
13	01738020
14	01738025
15	01738026
16	01738027
17	01738028
18	01739003
19	01739007
20	01739008
21	01739009
22	01739010
23	01739011
24	01740008
25	01740013
26	01740014
27	01740015
28	01740016
29	01740021
30	01740022
31	01740048
32	01740058
33	01740059

34	01740060
35	01740061
36	01740062
37	01741002
38	01741015
39	01741019
40	01741021
41	01741022
42	01741023
43	01741039
44	01741042
45	01741043
46	05052036
47	05052037
48	05052038
49	05052039
50	05052040
51	05052041
52	05052042
53	05052043
54	05052044
55	05052045
56	05052056
57	05052057
58	05052058
59	05052059
60	05052060
61	05052062
62	05052063

Section 8. The District shall have one construction contract.

Section 9. The Engineer is hereby authorized on behalf of the County to advertise for the doing of the work and making the improvements on behalf of the County in accordance with NRS § 271.335 to the extent the improvements are not constructed pursuant to NRS § 271.340 or §271.345.

Section 10. After the award of the contract to the lowest bidder, or after the determination of the net cost to the County, the Board shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the Board shall provide that the assessments may be payable without interest or

demand during a specific cash payment period, or at the election of the owner, or in twenty (20) substantially equal semi-annual installments which will include both principal and interest. The Board shall provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The Board shall also provide the rate of interest on unpaid installments of assessments which will not exceed 1% over the rate of interest on the assessment bonds for the District, if issued. The effective interest rate on the assessment bonds of the District will not exceed the then-effective statutory limit, if any, for interest on assessment bonds. Such limit currently states that the interest rate may not exceed by more than 3% the Index of Twenty Bonds which shall have been most recently published in The Bond Buyer before bids for the bonds are received, or before a negotiated offer for the sale of such bonds is accepted. If bonds are not issued the Board shall establish, by resolution, the rate of interest on unpaid installments of assessments not exceeding 14% per annum.

Section 11. All action, proceedings, matters and things heretofore taken, had and done by the County, and the officers thereof (not inconsistent with the provisions of this Ordinance), concerning the District, including, but not limited to, the performing of all prerequisites to the creation of said District, the acquisition of the street improvements, the advertising and award of a construction contract therefor, and the levy of assessments against the specific benefited property therein for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 12. The officers of the County be, and they hereby 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, construction contracts and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds and any interim warrants therefor.

Section 13. All ordinances or resolutions, 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 or resolution, or part thereof, heretofore repealed.

Section 14. 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) days before the date set for such hearing, i.e., at least ten (10) days before October 28, 2003, 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, October 28, 2003, 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 CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; 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 deems it necessary to create Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road) for the purpose of acquiring street improvements; recite that the Board declared its determination to create the District by a resolution; recite that the Board fixed a time and place for a hearing on the creation of the District and provided for the giving of mailed, posted and published notice of such hearing; recite that the requisite Notice was given and that such Notice was reasonably calculated to inform the parties of the proceedings concerning the District; recite that the hearing was held, that all hardship applications and all written and oral objections were duly considered and were found without sufficient merit and were overruled by resolution adopted on September 9, 2003, except as provided therein; recite that the owners of tracts representing less than one-half of the lots to be assessed filed such written or oral objections; recite that any person filing a written protest has the right within thirty (30) days to commence an action in any Court of competent jurisdiction to set aside the Board's determination; and recite that the Board and the Officers of the County have done all things necessary and preliminary to the creation of the District.

The ordaining clause is then set forth.

Sections 1 and 2 provide that the Ordinance shall be designated "Special Assessment District No. 35 (Rhodes Road) Creation Ordinance," and recite that the complaints, protests and objections made at the hearing have been overruled except as provided in a resolution and find that public convenience and necessity require creating of the District and that the creation of the District is economically sound and feasible.

Sections 3 and 4 create Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road), and describe the kind and location of the improvements.

Sections 5, 6, and 7 provide that an estimate of the total cost to be assessed is \$278,000; provide that all of such total cost shall be paid for by the levy of special assessments; provide that the assessments will be levied on a modified zone/per parcel basis; and describe the extent of the District, including the area to be assessed.

Section 8 provides that the District shall have one construction contract.

Sections 9 and 10 provide that the County Engineer is authorized to advertise for the construction contract; that the Board shall levy the assessments, which may be payable without interest or demand during a cash-payment period to then be specified, or in twenty (20) substantially equal semi-annual installments of principal and interest, that interest shall be at a rate which will not exceed the lesser of 1% over the interest rate on assessment bonds issued for the District. The interest rate on assessment bonds will not exceed the lesser of 14% per annum or the then-effective statutory maximum interest rate.

Sections 11, 12 and 13 ratify, approve and confirm all consistent prior action taken in connection with Special Assessment District No. 35 (Rhodes Road) and the levying of special assessments against the property in the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions.

Section 14, 15 and 16 provide for notice by publication of the Ordinance and that the Ordinance shall be in effect from and after its publication for two weeks following its final adoption.

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: October 14, 2003.

/s/ Amy Harvey
County Clerk

(SEAL)

(End of Form for Publication)

Section 15. 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. _____
(of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; 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 October 14, 2003, 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 October 28, 2003, 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 October ____, 2003, 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: _____, 2003.

/s/ David Humke
Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

/s/ Amy Harvey
County Clerk

Section 16. 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 14th day of October, 2003.

Proposed by Commissioner GALLOWAY.

Passed the 28th day of October, 2003.

Those Voting Aye:

Hunke

Shaw

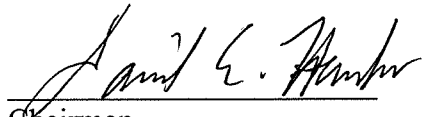
Galloway

Sferrazza

Waher

Those Voting Nay:

Those Absent:



Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:


County Clerk

This Ordinance shall be in force and effect from and after the 7th day of ~~November~~ 2003, i.e., the date of the second publication of such Ordinance by its title only.

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

I, Amy Harvey, 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 adopted by the Board of County Commissioners of the County (the "Board") introduced and read by title on October 14, 2003 and adopted on October 28, 2003 which relates to Special Assessment District No. 35. Minutes of the hearing on the Ordinance held on October 28, 2003 are attached as Exhibit A. Except as recited in this paragraph, no actions were taken concerning such District at such meetings. Such copies of the ordinance are true, correct, compared copy of the original proposed and adopted at such meetings.

2. All members of the Board were given due and proper notice of such meetings, and the members of the Board voted on the Ordinance as set forth in the Ordinance.

3. Public notice of such meetings was given and such meetings were held and conducted in full compliance with the provisions of NRS § 241.020. Pursuant to NRS § 241.020, written notice of such meeting was given by 9:00 a.m. at least three working days before the meetings:

(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:

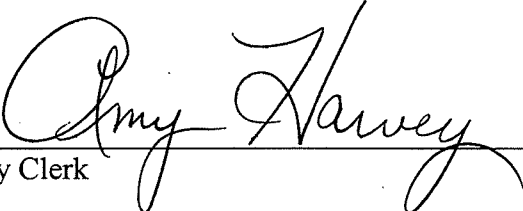
- 1. Washoe County Administration Complex
1001 East Ninth Street
Reno, Nevada
- 2. Washoe County Courthouse
Virginia and Court Streets
Reno, Nevada

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 October 28, 2003.



County Clerk

(SEAL)

EXHIBIT A

(Attach Minutes of October 28, 2003 Hearing on Ordinance)

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 28, 2003

PRESENT:

David Humke, Chairman
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner*
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, 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:

03-1170 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the agenda for the October 28, 2003 meeting be approved with following amendment: Delete Item 9C concerning the construction of the Mills B. Lane Justice Center.

*2:03 p.m. Commissioner Sferrazza arrived at the meeting.

PUBLIC COMMENTS

Al Hesson, area resident, expressed his opposition to President Bush's administration and discussed problems relating to education, insurance, teenage pregnancy and social issues in the community.

Sam Dehne, local resident, said the "Accentuate the Positive" organization is a joke. He then sang "The Reno News Regurgitators."

MANAGER'S/COMMISSIONERS' COMMENTS

There were no comments.

PERSONAL WIRELESS SERVICES FACILITIES, BY ENUMERATING THAT DENIAL OF APPLICATIONS MUST BE IN WRITING AND MUST IDENTIFY THE STANDARDS WHICH WERE NOT COMPLIED WITH, BY ENUMERATING THAT A DENIAL OF A PERSONAL WIRELESS FACILITY MAY NOT BE BASED ON THE ENVIRONMENTAL EFFECT OF RADIO FREQUENCIES EMANATING FROM SAID FACILITIES, BY ENUMERATING THE PROCEDURES FOR APPEALING THE DECISION OF DENIAL OF THE DIRECTOR OF COMMUNITY DEVELOPMENT; TO AMEND ARTICLE 604, DESIGN REQUIREMENTS, BY ADDING PROVISIONS THAT PROHIBIT CHANGES IN DENSITY, SPACE SIZE, SETBACKS, AND USES SHOULD A MANUFACTURED HOME PARK BE CONVERTED TO INDIVIDUALLY OWNED LOTS; TO AMEND ARTICLE 608, TENTATIVE SUBDIVISION MAPS BY ENUMERATING THE TYPES OF PUBLIC UTILITY EASEMENTS THAT MAY BE REQUIRED TO BE SHOWN ON A TENTATIVE SUBDIVISION MAP, AND BY PROVIDING A PROCESS THAT A SUBDIVIDER MAY REQUEST RELIEF FROM DEDICATION OF CERTAIN PUBLIC UTILITY EASEMENTS; TO AMEND ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, BY ENUMERATING THE TYPES OF PUBLIC UTILITY EASEMENTS THAT MAY BE REQUIRED TO BE SHOWN ON A TENTATIVE SUBDIVISION MAP, AND BY PROVIDING A PROCESS THAT A SUBDIVIDER MAY REQUEST RELIEF FROM DEDICATION OF CERTAIN PUBLIC UTILITY EASEMENTS; AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

03-1195 ORDINANCE NO. 1221 – BILL NO. 1401 – SPECIAL
ASSESSMENT DISTRICT NO. 35 – RHODES ROAD

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on October 17, 2003 to consider second reading and adoption of Bill No. 1401. Proof was made that due and legal Notice had been given.

Chairman Humke 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 Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Ordinance No. 1221, Bill No. 1401, entitled, "AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

EXHIBIT B

(Attach Copy of Notice of October 14, 2003 Meeting)

COUNTY COMMISSIONERS

David Humke, Chairman
 Tim Shaw, Vice Chairman
 Tom Galloway
 Pete Sferrazza
 Bonnie Weber

COUNTY MANAGER

Katy Singlaub

ASSISTANT
 DISTRICT ATTORNEY

Madelyn Shipman

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

October 14, 2003

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 the Consent Agenda at the beginning of the Board Meeting.

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.

An Agenda **CAUCUS** Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A, 2nd Floor, Reno) on **MONDAY, October 13, 2003** at **9:00 a.m.** in order to review agenda items for the regular meeting of the Washoe County Board of Commissioners as described below. Said review, if requested by the Commission, is limited to a brief staff presentation of issue and may include review of background information and questions to be answered at the regular meetings. The Commission, at the Caucus Meeting, may also consider possible items for placement on the October 21, 2003 Commission Agenda.

Public Comment: Limited to three minutes per person and limited to matters other than the agenda items that will be heard at the Commission Meeting. Persons are invited to submit comments in writing on agenda items and/or attend and make comment on that item at the Commission Meeting.

AT THE CAUCUS MEETING (October 13, 2003), the following *workshop* will be held:

Discussion of and direction to staff concerning Fiscal Year 2004/05 budget process, calendar and criteria for priority setting (Finance Department).

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting, after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, the Board of Fire Commissioners for the Sierra Forest Fire Protection District and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Support documentation for items on the agenda, provided to the Washoe County Board of Commissioners, is available to members of the public at the County Manager's Office (1001 E. 9th St., Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.co.washoe.nv.us.

17. A. one-year extensions. Prices shall not increase for duration of resultant original agreement and price increases for renewals are subject to negotiation and mutual agreement--Purchasing.
- B. Recommendation to award bid, PWP-WA-2003-192, El Rancho Sidewalk Enhancement Project to Anchor Concrete [\$214,524.07]; and if awarded, authorize Chairman to execute contract documents upon receipt--Public Works.
18. First Reading of Ordinances.
- A. Amending the Washoe County Code to add provisions to the De Minimus Use section of the Code to authorize County officers and employees to use a County maintained computer bulletin board for certain personal uses, including, but not limited to, advertising for purchase or sale personal items, informing other County officers and employees of upcoming social events, and for such other personal uses as the County permits through rules posted on the bulletin board web page (Community Relations).
- B. Amending provisions relating to Washoe County Code Chapter 110, Article 324, Communication Facilities, by adding a definition of personal wireless services, by permitting personal wireless services facilities on county and state owned structures and land, by eliminating the requirement for a special use permit and substituting review and approval of certain personal wireless services facilities by the Director of Community Development, by further defining standards for approval of certain personal wireless services facilities, by enumerating that denial of applications must be in writing and must identify the standards which were not complied with, by enumerating that a denial of a personal wireless facility may not be based on the environmental effect of radio frequencies emanating from said facilities, by enumerating the procedures for appealing the decision of denial of the Director of Community Development; to amend Article 604, Design Requirements, by adding provisions that prohibit changes in density, space size, setbacks, and uses should a manufactured home park be converted to individually owned lots; to amend Article 608, Tentative Subdivision Maps, by enumerating the types of public utility easements that may be required to be shown on a tentative subdivision map, and by providing a process that a subdivider may request relief from dedication of certain public utility easements; to amend Article 612, Division of Land into Large Parcels, by enumerating the types of public utility easements that may be required to be shown on a tentative subdivision map, and by providing a process that a subdivider may request relief from dedication of certain public utility easements; and other matters properly relating thereto (Community Development).
- C. Creating Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road); ordering a street project within Washoe County, Nevada; providing for the levy and collection of special assessments therefor; and prescribing other matters relating thereto.

EXHIBIT C

(Attach Copy of Notice of October 28, 2003 Meeting)

COUNTY COMMISSIONERS

David Humke, Chairman
 Jim Shaw, Vice Chairman
 Tim Galloway
 Pete Sferrazza
 Bonnie Weber

COUNTY MANAGER

Katy Singlaub

ASSISTANT
 DISTRICT ATTORNEY

Madelyn Shipman

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

October 28, 2003

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 the Consent Agenda at the beginning of the Board Meeting.

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.

An Agenda **CAUCUS** Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A, 2nd Floor, Reno) on **MONDAY, October 27, 2003** at **1:30 p.m.** in order to review agenda items for the regular meeting of the Washoe County Board of Commissioners as described below. Said review, if requested by the Commission, is limited to a brief staff presentation of issue and may include review of background information and questions to be answered at the regular meetings. The Commission, at the Caucus Meeting, may also discuss meeting management effectiveness, as well as considering possible items for placement on the November 12, 2003 Commission Agenda.

During the Caucus Meeting on Monday, October 27, 2003, there will be a status report given by staff on the baseball stadium project.

Public Comment: Limited to three minutes per person and limited to matters other than the agenda items that will be heard at the Commission Meeting. Persons are invited to submit comments in writing on agenda items and/or attend and make comment on that item at the Commission Meeting.

AT THE CAUCUS MEETING (October 27, 2003), the following *workshop* will be held:

Jail Expansion and Staffing Study (presented by Consultant Dennis Liebert of Liebert and Associates).

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting, after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, the Board of Fire Commissioners for the Sierra Forest Fire Protection District and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Support documentation for items on the agenda, provided to the Washoe County Board of Commissioners, is available to members of the public at the County Manager's Office (1001 E. 9th St., Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.co.washoe.nv.us.

5:30 p.m. 18. B. Second Readings and Adoptions of Ordinances.

- (1) Amending the Washoe County Code to add provisions to the de minimus use section of the Code to authorize County officers and employees to use a County maintained computer bulletin board for certain personal uses, including, but not limited to, advertising for purchase or sale personal items, informing other County officers and employees of upcoming social events, and for such other personal uses as the County permits through rules posted on the bulletin board web page. (Bill No. 1399) To be heard before Agenda Item No. 18C.
 - (2) Amending provisions relating to Washoe County Code Chapter 110, Article 324, Communication Facilities, by adding a definition of personal wireless services, by permitting personal wireless services facilities on County and State owned structures and land, by eliminating the requirement for a special use permit and substituting review and approval of certain personal wireless services facilities by the Director of Community Development, by further defining standards for approval of certain personal wireless services facilities, by enumerating that denial of applications must be in writing and must identify the standards which were not complied with, by enumerating that a denial of a personal wireless facility may not be based on the environmental effect of radio frequencies emanating from said facilities, by enumerating the procedures for appealing the decision of denial of the Director of Community Development; to amend Article 604, design requirements, by adding provisions that prohibit changes in density, space size, setbacks, and uses should a manufactured home park be converted to individually owned lots; to amend Article 608, Tentative Subdivision Maps, by enumerating the types of public utility easements that may be required to be shown on a tentative subdivision map, and by providing a process that a subdivider may request relief from dedication of certain public utility easements; to amend Article 612, Division of Land Into Large Parcels, by enumerating the types of public utility easements that may be required to be shown on a tentative subdivision map, and by providing a process that a subdivider may request relief from dedication of certain public utility easements; and other matters properly relating thereto. (Bill No. 1400)
 - (3) Creating Washoe County, Nevada, Special Assessment District No. 35 (Rhodes Road); ordering a street project within Washoe County, Nevada; providing for the levy and collection of special assessments therefor; and prescribing other matters relating thereto. (Bill No. 1401)
- C. Recommendation to approve proposed changes to Washoe County's Internet and Intranet Acceptable Use Policy--Community Relations. (To be heard after Agenda Item No. 18B(1). **Note:** This item is not a public hearing.)

EXHIBIT D

(Attach Affidavit of Publication of Notice of Filing of Creation Ordinance)

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Reno Gazette-Journal

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STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

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: **10/17/03 - 10/17/03**, for exact publication dates please see last line of Proof of Publication below.

Signed: *Julia Ketcham*

OCT 22 2003

Subscribed and sworn to before me


Tana Ciccotti

03-1195

NOV 15 2003

Proof of Publication

NOTICE OF PUBLIC HEARING BILL NO. 1401 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, October 28, 2003, at 5:30 p.m. to consider the adoption of Bill No. 1401 entitled as follows: AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO. 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.115011 Oct 17, 2003

EXHIBIT E

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

RENO NEWSPAPERS INC
Publishers of
Reno Gazette-Journal

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STATE OF NEVADA
COUNTY OF WASHOE

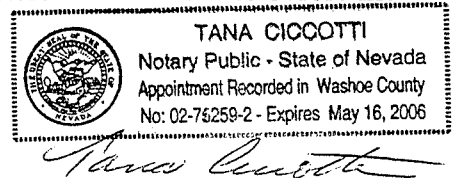
ss: Julia Ketcham

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: **10/31/03 - 11/07/03**, for exact publication dates please see last line of Proof of Publication below.

Signed: *Julia Ketcham*

NOV 7 2003

Subscribed and sworn to before me



Proof of Publication

BILL NO. 1401 ORDINANCE NO. 1221 (of Washoe County, Nevada) AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; 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 350 South Center Street, Suite 100, Reno, Nevada; and that said Ordinance was proposed by Commissioner Galloway on October 14, 2003, 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 October 28, 2003, by the following vote of the Board of County Commissioners: Those Voting Aye:Humke, Shaw, Galloway, Sferrazza, Weber Those Voting Nay:(none) Those Absent:(none) This Ordinance shall be in full force and effect from and after November 7, 2003, 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: October 29, 2003. /s/David Humke
Chairman Board of County Commissioners Washoe County, Nevada (SEAL) Attest: /s/
Amy Harvey County Clerk No.126029 Oct 31; Nov 7, 2003