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PROOF OF PUBLICATION

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:

Bill No. 1445 Ord. no. 1267

has published in each regular and entire
issue of said newspaper on the following
dates to wit:
June 17, June 24, 2005

Signed: *Julia Ketcham*

JUL 21 2005

Tana Cicotti
Notary Public

BILL NO. 1445
ORDINANCE NO. 1267

AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

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 May 10, 2005, 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 14, 2005, by the following vote of the Board of County Commissioners:

Those Voting Aye: Jim Galloway, Dave Humke, Pete Sferrazza, and Robert M. Larkin
Those Voting Nay: (none)
Those Absent: Bonnie Weber

This Ordinance shall be in full force and effect from and after June 24, 2005, 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 14, 2005.

/s/ Bonnie Weber, Chair
Board of County Commissioners
Washoe County, Nevada
(SEAL)

Attest: /s/ Amy Harvey County Clerk



Boundary Amendment Ordinance

Summary - An ordinance amending the ordinance creating the Washoe County, Nevada District No. 24 (Groundwater Remediation); and providing other matters related thereto.

BILL NO. 1445

ORDINANCE NO. 1267

AMENDING ORDINANCE NO. 1000

AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

1. **WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada has, pursuant to Ordinance No. 1000 (the "Creation Ordinance"), adopted and approved on November 14, 1997, created a district (the "District" or "District No. 24") for the remediation of the quality of water (specifically in order to address contamination of ground water by perchloroethylene ("PCE")) pursuant to NRS § 540A.250 through 540A.280 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

2. **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

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

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

5. **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

6. **WHEREAS**, the boundaries of the District described in the Creation Ordinance (the "Original Boundaries") included the wholesale and retail water service area of Sierra Pacific Power Company ("Sierra"); and

7. **WHEREAS**, Sierra's water business was acquired by the Truckee Meadows Water Authority ("TMWA") during 2001; and

8. **WHEREAS**, Sierra was, and TMWA is, is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition (i.e., presence of PCE in the groundwater at unacceptable levels) that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

9. **WHEREAS**, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra/TMWA included in the boundaries of the district for the fee collected in a particular calendar year should include properties which were actually served

with water provided by Sierra or TMWA on a retail or wholesale basis during the prior calendar year; and

10. **WHEREAS**, the Original Boundaries have been heretofore amended; and

11. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2004 to exclude from the District certain properties, included in the Original Boundaries of the District as amended through July 1, 2004 (the "2004 Boundaries"), which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during that year; and

12. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2005, to add to and include such Original Boundaries new properties added to the wholesale and retail water service area of TMWA since December 31, 1997; and

13. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2005 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during calendar year 2005; and

14. **WHEREAS**, each of the following have been filed with the County Clerk (the "Clerk") on April 19, 2005, prior to the publication of a notice of hearing as hereinafter described:

(i) a list of the properties proposed to be excluded from the 2004 Boundaries with respect to the fees collected in 2004 as described in the 11th preamble hereto entitled "Second List of Properties to be excluded from 2004 Boundaries of District No. 24" (the "Second 2004 Exclusion List"),

(ii) a description of the areas proposed to be added to the District as described in the 12th preamble hereto, entitled "2005 Description of Areas to be Added to District No. 24" (the "2005 Addition List"), and

(iii) a list of the properties proposed to be excluded with respect to the fee imposed in 2005 as described in the 13th preamble hereto, entitled "First List of Properties to Be Excluded from the 2005 Boundaries of District No. 24" (the "First 2005 Exclusion List"); and

15. **WHEREAS**, pursuant to NRS § 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

16. **WHEREAS**, after published notice in accord with NRS § 540A.262, the Board on May 10, 2005 held a hearing on the amendment proposed to be made by this ordinance and hereby determines to overrule each and every objection to such amendment made at the hearing; and

17. **WHEREAS**, the Board has determined and the Board hereby determines to now amend the boundaries of the District.

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

Section 1. Section 2 of Ordinance No. 1000 is hereby amended to read as follows:

"Section 2. A. The boundaries of the District with respect to the fee for remediation imposed in 1998 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, but excluding therefrom (a) the properties listed on the "List of Properties Excluded from District 24 Boundaries" as filed with the County Clerk on June 16, 1998; (b) the properties listed on the Second 1998 Exclusion List, as filed with the County Clerk on April 21, 1999; and (c) the properties listed on the Second Exclusion List as filed with the Clerk on April 24, 2001.

B. The boundaries of the District with respect to the fee for remediation imposed in 1999 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District boundaries all properties in the area described in the 1999 Addition List as filed with the County Clerk on April 21, 1999, but excluding from the District Boundaries the properties listed on the First 1999 Exclusion List as filed with the County Clerk on April 21, 1999 and as supplemented with the Supplemental 1999 List of Additional Excluded Parcels filed with the County Clerk on June 8, 1999 and as supplemented by the Second 1999 Exclusion List filed with the Clerk

on May 4, 2000, and by the Second Exclusion List filed with the Clerk on April 24, 2001;

C. The boundaries of the District with respect to the fee for remediation imposed in 2000 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2000 Addition List as filed with the County Clerk on May 2, 2000, but excluding from the District Boundaries the properties listed on the First 2000 Exclusion List as filed with the County Clerk on May 2, 2000, and the Second Exclusion List filed with the County Clerk on April 24, 2001;

D. The boundaries of the District with respect to the fee for remediation imposed in 2001 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2001 Addition List as filed with the County Clerk on April 24, 2001, but excluding from the District Boundaries the properties listed on the First 2001 Exclusion List as filed with the County Clerk on April 24, 2001.

E. The boundaries of the District with respect to the fee for remediation imposed in 2002 are the wholesale and retail water service area of Sierra Pacific Power Company (of the Truckee Meadows Water Authority, after the acquisition of Sierra Pacific Power Company's water business by the Truckee Meadows Water Authority), as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2002 Addition List as filed with the County Clerk on April 23, 2002, but excluding from the District Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 23, 2002 and excluding from the District

boundaries the properties listed on the Second 2002 Exclusion List as filed with the County Clerk on April 21, 2003;

F. The boundaries of the District with respect to the fee for remediation imposed in 2003 are the wholesale and retail water service area of the Truckee Meadows Water Authority, as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2003 Addition List as filed with the County Clerk on April 21, 2003, but excluding from the District Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 21, 2003 and excluding from the District boundaries the properties listed on the Second 2003 Exclusion List as filed with the County Clerk on April 22, 2004;

G. The boundaries of the District with respect to the fee for remediation imposed in 2004 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2004 Addition List as filed with the County Clerk on April 22, 2004, but excluding from the District Boundaries the properties listed on the First 2004 Exclusion List as filed with the County Clerk on April 22, 2004 and excluding from the District boundaries the properties listed on the Second 2004 Exclusion List as filed with the County Clerk on April 19, 2005

H. The boundaries of the District with respect to the fee for remediation imposed in 2005 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2005 Addition List as filed with the County Clerk on April 19, 2005, but excluding from the District Boundaries the properties listed on the

First 2005 Exclusion List as filed with the County Clerk on April 19, 2005."

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the Board and the officers of the County (not inconsistent with the provisions of this Ordinance), concerning the District, is ratified, approved and confirmed.

Section 3. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for developing and carrying out the plan for remediation, and the preparation of recommendations to the Board of the cost thereof and appointment of such costs among the properties in the District. This section does not authorize the execution of any contracts to carry out the plan for remediation without Board approval.

Section 4. 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 5. 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 the 14th day of June, 2005, 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 _____ .m., on Tuesday, the 14th day of June, 2005, 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 AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

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, Special Assessment District No. 24 for the purpose of remediating the quality of water at various other matters in connection therewith, and make certain findings .

The ordaining clause is then set forth.

Section 1 amends the boundaries of the District with respect to the fee collected in 2004 and 2005.

Sections 2, 3 and 4 ratify, approve and confirm all consistent prior action taken in connection with the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions.

Sections 5, 6 and 7 provide for notice by publication of the June 14, 2005 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 14, 2005; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the Ordinance; and provide a severability clause.

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

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

DATED this May 10, 2005.

/s/ Amy Harvey
County Clerk

(SEAL)

(End of Form for Publication)

Section 6. This Ordinance shall be in effect from and after its publication as hereinafter provided, and after this Ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this Ordinance shall be published by title only, together with the names of the Commissioners voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette-Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to NRS § 244.100 and all laws thereunto enabling, such publication to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled Ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said Ordinance was proposed by Commissioner _____ on May 10, 2005, 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 14, 2005, by the following vote of the Board of County Commissioners:

Those Voting Aye:

- Jim Galloway
- Dave Humke
- Pete Sferrazza
- Robert M. Larkin
- Bonnie Weber

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after June ____, 2005, 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 14, 2005.

/s/ Bonnie Weber
Chair
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

/s/ Amy Harvey
County Clerk

Section 7. 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 10th day of May, 2005.
Proposed by Commissioner GALLOWAY.
Passed the 14th day of June, 2005.

Those Voting Aye:

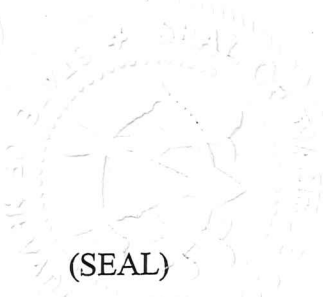
Jim Galloway
Dave Humke
Pete Sferrazza
Robert M. Larkin
~~Bonnie Weber~~

Those Voting Nay:

Those Absent:

BONNIE WEBER

Robert M. Larkin
Chair
Board of County Commissioners
Washoe County, Nevada



(SEAL)

Attest:

Amy Hawey
County Clerk

This Ordinance shall be in force and effect from and after the 24th day of June, 2005, 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 introduced and read by title at the Board of County Commissioners of the County (the "Board") held on May 10, 2005 and adopted on June 14, 2005 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such District held on May 10, 2005 and of the hearing on the Ordinance held on June 14, 2005 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. All members of the Board were given due and proper notice of such meetings, and the members of the Board voted on such ordinance as follows:

Those Voting Aye:	Jim Galloway Dave Humke Pete Sferrazza Robert M. Larkin Bonnie Weber
Those Voting Nay:	_____
Those Absent:	<u>BONNIE WEBER</u>

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 C and

D.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Washoe County, Nevada, this June 14, 2005.



 County Clerk

(SEAL)

EXHIBIT "A"

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

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 10, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, 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:

05-434 AGENDA

In response to discussion by the Board, Melanie Foster, Legal Counsel, stated that Item 16, First Reading of an Ordinance regarding animals could be continued to a date certain during approval of the agenda, while still taking public comment at the time certain of 5:30 p.m.

be approved with the following changes: **Delete:** Item 9, Appearance by John McLain, Resource Concepts, Inc. and Elwood Miller, Nevada Fire Council, on the results of the Community Wildfire Risk/Hazard Assessment and Mitigation Plan; and Item 18, Sierra Forest Fire Protection District. It was further ordered that the First Reading of an Ordinance amending the Washoe County Code by amending Chapter 55 relating to animals and fowl and enacting provisions regarding animal control in Washoe County be continued to the May 24, 2005 meeting with public comment being heard today at or after the time certain of 5:30 p.m.

05-435 PUBLIC COMMENTS

Jerry Purdy, local resident, discussed water quality monitoring and the need to expand the groundwater database to include all of the Truckee River water testing being done by all of the different agencies. He provided documentation on which test each agency conducted that was placed on file with the Clerk.

05-460 **PUBLIC HEARING – BOUNDARY ADJUSTMENTS - DISTRICT
NO. 24 (GROUNDWATER REMEDIATION) - WATER
RESOURCES**

5:30 p.m. This was the time set in a Notice of public hearing published in the *Reno Gazette-Journal* on April 12, 2005 to conduct a public hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District No. 24 (Central Truckee Meadows Remediation District).

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the proposed amendment for the boundaries of the Groundwater Remediation District No. 24. There being no response the Chairman closed the public hearing.

05-461 **BILL NO. 1445 - AMENDING ORDINANCE NO. 1000 -
BOUNDARIES DISTRICT NO. 24 (GROUNDWATER
REMEDATION)**

Bill No. 1445 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.” was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

05-462 **BILL NO. 1446 - ORDINANCE - DISTRICT NO. 24
(GROUNDWATER REMEDIATION)**

Bill No. 1446 entitled “AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO.” was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

05-463 **AMENDING WCC CHAPTER 55 – ANIMAL SERVICES**

5:30 p.m. Katy Singlaub, County Manager, said this item was scheduled to be a first reading of an Ordinance that would amend Washoe County Code by incorporating and

EXHIBIT "B"

(Attach Minutes of June 14 Hearing on Ordinance)

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JUNE 14, 2005

PRESENT:

Bob Larkin, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
John Berkich, Assistant County Manager
Melanie Foster, Legal Counsel

ABSENT:

Bonnie Weber, Chairman

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:

05-543 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Chairman Weber absent, Vice Chairman Larkin ordered that the agenda for the June 14, 2005 meeting be approved with the following deletion: Item 8S(2) Amendment No. 1 to the engineering services contract with Carollo Engineers PC to explore additional surface water supply options for the South Truckee Meadows Water Treatment Plant.

05-544 PUBLIC COMMENTS

Terrie Camenisch, local resident, said she had not realized her term had expired and requested the reopening of the nominations for the Airport Noise Advisory Panel. She said she wanted to remain on the panel because she felt her technical expertise was needed.

Greg MacRenaris, Concerned Citizens for Accountability in Government Chairman, spoke about statewide construction fraud.

Guy Felton, local resident, spoke about the Commissioners not answering questions by the public and limiting public comment.

about coverage for Commissioner Sferrazza on that date, and Commissioners Humke and Galloway stated they would attend as needed.

Commissioner Humke expressed concerns about the scheduling of the Joint Flood Project Coordinating Committee. Commissioner Sferrazza said they were polled for dates, and he asked they be polled in the future.

Gary Schmidt, Washoe County resident, suggested the Board appoint members from the public to serve as the alternates to various boards and commissions.

**05-612 ORDINANCE NO. 1267 - BILL NO. 1445 - AMENDING
ORDINANCE NO. 1000 - DISTRICT NO. 24 - GROUNDWATER
REMEDATION**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 3, 2005 to consider second reading and adoption of Bill No. 1445. Proof was made that due and legal Notice had been given.

The Vice Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Juanita Cox, Sparks resident, stated there was an Open Meeting Law violation because the agenda item was not clearly written. She voiced concerns about implementation of the Ordinance and possible water bill increases.

Gary Schmidt, Washoe County resident, detailed problems with the Ordinance and stated the use of vague language should be avoided. He said there were violations of the Open Meeting Law because the wording on the agenda was not clear and complete.

Vice Chairman Larkin asked if agenda Items 21A and 21B could be dealt with simultaneously; and Melanie Foster, Legal Counsel, confirmed they could be due to the relationship of the Ordinances.

The Vice Chairman closed the public hearing.

Commissioner Sferrazza commented the purpose of the Ordinance was to eliminate PCE in the groundwater, which was mandated by law. He voiced his support for the Ordinance and confirmed the area being remediated was mainly in downtown Reno.

Commissioner Galloway remarked money was collected from outside the downtown area from residents who were hooked up to the Truckee Meadows Water Authority water service. He said the number of people who pay into the Ordinance changes occasionally because different people hook up to that water service.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Weber absent, Vice Chairman Larkin ordered that Ordinance No. 1267, Bill No. 1445, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," be approved, adopted and published in accordance with NRS 244.100.

**05-613 ORDINANCE NO. 1268 - BILL NO. 1446 – CONCERNING
DISTRICT NO. 24 – GROUNDWATER REMEDIATION**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on June 3, 2005 to consider second reading and adoption of Bill No. 1446. Proof was made that due and legal Notice had been given.

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

Commissioner Sferrazza commented there were multiple hearings on the fee ordinance, and businesses and properties that were most directly benefited would be charged a higher rate. He explained that people outside District No. 24 also pay because water would be improved by this action. He said it was clearly a necessity for the community.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Weber absent, Vice Chairman Larkin ordered that Ordinance No. 1268, Bill No. 1446, entitled, " AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

EXHIBIT "C"

(Attach Copy of Notice of May 10 Meeting)

COUNTY COMMISSIONERS

Donnie Weber, Chairman
 Bob Larkin, Vice-Chairman
 Jim Galloway
 David Humke
 Pete Sferrazza

COUNTY MANAGER

Katy Singlaub

**ASSISTANT
DISTRICT ATTORNEY**

Melanie Foster

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

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

May 10, 2005

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

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

Public Comment at the Caucus Meeting on May 9, 2005 will be for all matters, both on and off the agenda, and be limited three minutes per person. Additionally, public comment of one minute per person will be heard during the Legislative Update item. Public comment during the Commission Meeting on May 10, 2005 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual agenda items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment if more than 10 people request to speak during the comment period or on an agenda item. 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.

An Agenda **CAUCUS** Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A 2nd Floor, Reno) on **MONDAY, May 9, 2005 at 11 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, may include a staff presentation of issues, review of background information, questions by Commissioners and answers, and discussion regarding whether to include additional items in the Consent Agenda or remove items from the Consent Agenda. The Commission may deliberate on agenda items during the Agenda Caucus Meeting, but a final vote will not be taken on any item except those noted below to be acted upon during the Caucus Meeting. At the call of the Chairman, Caucus Meetings constitute special meetings of the Board of County Commissioners.

AT THE CAUCUS MEETING (May 9, 2005), the following items may also be discussed and acted upon:

- Staff update--2005-2006 Budget.
- Staff update on Wellness Program.
- Meeting Management Effectiveness.
- Possible items for placement on the May 17, 2005 Commission Agenda.

21. Reconsideration of Board of County Commissioners' appointments (Commissioners Sferrazza and Larkin with Commissioner Humke as First Alternate and remaining Commissioners as Alternates per Commission action of March 15, 2005) to the Joint Flood Project Coordinating Committee (continued from April 12 and 26, 2005 Commission Meetings).
 22. Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).
 23. Discussion and possible direction regarding 2002 Regional Plan Settlements, Regional Plan litigation and potential litigation and associated issues, including reports on actions of the Regional Planning Commission and Regional Planning Governing Board.
- 5:30 p.m.** 24. **Public Hearing.** (Note: The item listed under this heading only will be heard at or after the noted time. In no case will it be heard before the stated time. Due to public testimony and discussion, time expended on the item in this category can vary.)

Washoe County, Nevada, District Number 24 (Groundwater Remediation) - Boundary Adjustments--Water Resources.

Public hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District).

AND

First reading of an Ordinance amending Ordinance No. 1000 creating the Washoe County, Nevada District No. 24 (Groundwater Remediation, also known as Central Truckee Meadows Remediation District) in order to change the boundaries of the District; ratifying, approving and confirming all action previously taken directed thereto; and providing the effective date hereof. (Second reading and adoption to be set for June 14, 2005.)

AND

First reading of an Ordinance concerning the Washoe County, Nevada District No. 24 (Groundwater Remediation, also known as Central Truckee Meadows Remediation District); providing for the payment of a portion of the costs of developing and carrying out a plan for remediation; imposing a fee to pay such costs on the parcels of land in such District No. 24; describing the manner for the collection and payment of the fee; ratifying, approving and confirming all action previously taken directed toward those purposes; and prescribing other matters relating thereof. (Second reading and adoption to be set for June 14, 2005.)

END OF SCHEDULED PUBLIC HEARING

EXHIBIT "D"

(Attach Copy of Notice of June 14 Meeting)

COUNTY COMMISSIONERS

Donnie Weber, Chairman
 Bob Larkin, Vice-Chairman
 Jim Galloway
 David Humke
 Pete Sferrazza

COUNTY MANAGER

Katy Singlaub

ASSISTANT
 DISTRICT ATTORNEY

Melanie Foster

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

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

June 14, 2005

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

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

Public Comment at the Caucus Meeting on June 13, 2005 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Public comment during the Commission Meeting on June 14, 2005 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual agenda items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment if more than 10 people request to speak during the comment period or on an agenda item. 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.

An Agenda **CAUCUS** Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A 2nd Floor, Reno) on **MONDAY, June 13, 2005 at 11 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, may include a staff presentation of issues, review of background information, questions by Commissioners and answers, and discussion regarding whether to include additional items in the Consent Agenda or remove items from the Consent Agenda. The Commission may deliberate on agenda items during the Agenda Caucus Meeting, but a final vote will not be taken on any item except those noted below to be acted upon during the Caucus Meeting. At the call of the Chairman, Caucus Meetings constitute special meetings of the Board of County Commissioners.

AT THE CAUCUS MEETING (June 13, 2005), the following items may also be discussed and acted upon:

- Meeting Management Effectiveness.
- Possible items for placement on the June 21, 2005 Commission Agenda.

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, as 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.

17. D. Recommendation to accept four Homeland Security Grants from the State of Nevada, Division of Emergency Management, to Washoe County as fiscal agent for the Local Emergency Planning Committee (LEPC) [State Homeland Security Program \$1,577,759.88; Law Enforcement Terrorism Prevention Program \$609,809.80; Citizen Corps Program \$33,086.50; and, State Emergency Response Commission Program \$14,959.00]; approve Resolution further subgranting funds to other governments and nonprofits which make up LEPC; and, authorize County Manager, or her designee, to sign subgrants with local LEPC members as per grant award administrative grid and direct Finance to make appropriate cash and budget adjustments--Grants Coordinator, Emergency Management.

4:15 p.m. 18. Truckee Meadows Fire Protection District.

See separate agenda.

19. Discussion and possible direction regarding 2002 Regional Plan Settlements, Regional Plan litigation and potential litigation and associated issues, including reports on actions of the Regional Planning Commission and Regional Planning Governing Board.
20. Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).

5:30 p.m. 21. **Public Hearings.** (*Note: Items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on the items in this category can vary.*)

- A. Second reading and adoption of an Ordinance amending Ordinance No. 1000 creating the Washoe County, Nevada District No. 24 (Groundwater Remediation) in order to change the boundaries of the District; ratifying, approving and confirming all action previously taken directed thereto; and providing the effective date hereof. (Bill No. 1445)
- B. Second reading and adoption of an Ordinance concerning the Washoe County, Nevada District No. 24 (Groundwater Remediation); providing for the payment of a portion of the costs of developing and carrying out a plan for remediation; imposing a fee to pay such costs on the parcels of land in such District No. 24; describing the manner for the collection and payment of the fee; ratifying, approving and confirming all action previously taken directed toward those purposes; and prescribing other matters relating thereto. (Bill 1446)

EXHIBIT "E"

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

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COUNTY OF WASHOE

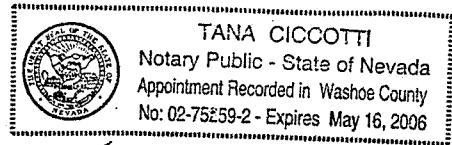
ss: Linda Anderson

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **06/03/2005 - 06/03/2005**, for exact publication dates please see last line of Proof of Publication below.

05-612

Signed: *Linda Anderson*

Subscribed and sworn to before me



Tana Cicotti

JUN 03 2005

Proof of Publication

Bill No. 1445 Notice of Public Hearing Before The Washoe County Board of County Commissioners NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, at 5:30 p.m. on Tuesday, the 14th day of June, 2005, 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. 1445 (of Washoe County, Nevada) AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. 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, Special Assessment District No. 24 for the purpose of remediating the quality of water and various other matters in connection therewith, and make certain findings. The ordaining clause is then set forth. Section 1 amends the boundaries of the District



with respect to the fee collected in 2004 and 2005. Sections 2, 3 and 4 ratify, approve and confirm all consistent prior action taken in connection with the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions. Sections 5, 6 and 7 provide for notice by publication of the June 14, 2005 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 14, 2005; 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 350 South Center Street, Suite 100, 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, 2005.
/s/ Amy Harvey (SEAL) County Clerk No. 54783 June 3, 2005

US-612

EXHIBIT "F"

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

H:\03400\086 DISTRICT 24 REMEDIATION\2005\05 BOUNDARY AMEND ORD Final 5-2.DOC