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Customer Acct# **349008**
PO# **BILL 1446**
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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: **06/17/2005 - 06/24/2005**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____

JUN 29 2005



Proof of Publication

BILL NO. 1446 ORDINANCE NO. 1268 AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADADISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDINGFOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOP- ING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOS- ING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND INSUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THECOLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROV- ING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DI- RECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTH- ER MATTERS RELATING THERETO. PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of theabove-numbered and entitled ordinance are available for inspec- tion by the interested parties at the office of the County Clerk ofWashoe County, Nevada, at her office at 350 South Center Street,Suite 100, Reno, Nevada; and that said ordinance was proposed byCommissioner Galloway on May 10, 2005, and following a publichearing, was passed and adopted without amendment at a regularmeeting 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 voteof the Board of County Commissioners: Those Voting Aye: Jim Galloway, Dave Humke, Pete Sferrazza, andRobert 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 June 14, 2005 /s/ Bonnie Weber, Chair Board of County Commissioners (SEAL) Washoe County, Nevada Attest: /s/ Amy Harvey County Clerk No. 62838 June 17, 24, 2005

Fee Adoption Ordinance

Summary - An ordinance levying a fee in Washoe County, Nevada District No. 24 (Groundwater Remediation), ratifying action taken by County officers, and providing other matters related thereto.

BILL NO. 1446

ORDINANCE NO. 1268

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.

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

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

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

WHEREAS, subsection 2 of NRS § 540A.250 provides that on receipt of the Certification, the Board must proceed in cooperation with the County or District Health Officer

and the Division to verify the existence and extent of the condition and establish the appropriate boundaries of a district for the remediation of the quality of water (the "District"); and

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

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

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

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

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

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

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

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

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

WHEREAS, the Board pursuant to Ordinance No. 1000 adopted and approved on November 14, 1997, as amended by ordinances adopted and approved on June 16, 1998, June 8, 1999, June 13, 2000, June 12, 2001, June 11, 2002, June 10, 2003, June 8, 2004, and June 14, 2005 (as amended, the "Creation Ordinance"), created a district (the "District" or "District No. 24") for the remediation of the quality of water pursuant to NRS §540A.250 through § 540A.285 (the "Act") whose boundaries in accordance with NRS §540A.250 include the wholesale and retail water service area of Sierra Pacific Power Company (herein "Sierra Pacific") and its successors in the water business, the Truckee Meadows Water Authority ("TMWA"), which was in the case of Sierra Pacific and is in the case of TMWA, a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

WHEREAS, the Board has heretofore determined does hereby declare that a portion of the cost of developing and carrying out the plan for remediation is to be deferred with the proceeds of bonds (the "Bonds"); and

WHEREAS the Board has also determined that a portion of the costs of developing and carrying out the plan for remediation is to be paid from certain cash on hand and that a portion of such cost is also to be paid with a portion of the fee collected in 2005-2006; and

WHEREAS, the Board has heretofore determined that the cost of debt service on the bonds and operation and maintenance in connection with carrying out the Plan for Remediation is to be paid by a fee imposed on the properties in the District; and

WHEREAS, in the Creation Ordinance, the Board determined that the condition which requires remediation affects the quality of drinking water within the region; and therefore, pursuant to subsection 1(a) of NRS §540A.265 the fee apportioned must be based on a percentage of the total amount billed in the preceding calendar year to each parcel of property within the District for water by the provider of retail water service to the parcel of property; and

WHEREAS, the Board has determined and hereby determines that the estimated

amount required to pay one year's principal and interest on the Bonds ("debt service") is \$405,000; and

WHEREAS, the Board has determined and hereby determines that the estimated amount required to pay TMWA for one year's operation and maintenance ("O & M") costs as provided in the County's agreement with Sierra Pacific to which TMWA succeeded is \$300,000; and

WHEREAS, the Board has determined and hereby determines that the annual amount necessary to pay the one year's cost of additional capital expenses and monitoring, administration, collection and other continuing costs in furtherance of and in connection with developing and carrying out the Plan for Remediation (collectively, "Ongoing Costs") is \$1,795,000; and

WHEREAS, it is therefore necessary to raise \$2,500,000 in fiscal year 2005-2006 (the Fiscal Years' Amount) to pay one year's Debt Service, O & M and Ongoing Costs; and

WHEREAS, the Board has determined at this time that considering the nature of the capitol projects currently being funded with the Bonds and the nature of the Ongoing Costs being collected at this time, it is appropriate to weight or adjust the amount billed pursuant to paragraph (b) of subsection 1 of NRS §540A.265, and consequently that the methods of weighting or adjusting outlined in paragraphs (b) and (c) of such subsection are being applied to the fee being apportioned by this ordinance and the Board hereby finds and declares that such apportionment is just and equitable; and

WHEREAS, there has been submitted to staff of the County a list of all parcels of land in the District (excluding all property owned by the federal government), together with the amount billed for water to those parcels in calendar year ending December 31, 2004, in which, in the cases of properties within the District where retail water service was not provided for a full calendar year, or where a full calendar year's billing was not available, the estimated amount billed for water for a full calendar year was provided or developed, taking into account a partial year's billing extended to 12 months, or an average of fees on parcels of property within comparable zonings or uses; and

WHEREAS, there has been prepared and filed with the County Clerk on May 10, 2005 a list, entitled "District No. 24 (Groundwater Remediation) 2005 Fee Apportionment List" (the "Fee Apportionment List"), of each parcel of property within the District (excluding parcels

owned by the United States) and an apportionment of the Fiscal Years' Amount to be raised by the fees described above to each parcel of land in the District, which apportionment is based on the amount billed to that parcel for water, weighted and adjusted as described in paragraphs (b), (c) and (d) of subsection 1 of NRS § 540A.265; and

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

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

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

Section 2. For the purpose of paying the cost of developing and carrying out the Plan for Remediation, there is hereby imposed against each of the lots, tracts and parcels of land in the District (except property owned by the Federal Government), the amount shown for that tract or parcel of land in the Fee Apportionment List as filed in the office of the County Clerk on May 10, 2005. The Board hereby finds and determines and to impose and apportion the fee in the amounts shown in the Fee Apportionment List, all in accordance with the Act.

Section 3. In accordance with subsection 2 of NRS § 540A.265, the fee imposed by this ordinance shall be collected by the County Treasurer with the general taxes of the County, and payment therefore must be enforced in the same manner and with the same remedies as provided for the collection of general taxes. The amount of the fee shall be due with the first installment of property taxes and shall be payable in full on that date. There shall not be any option to pay the fee in installments. The Clerk is hereby directed to certify a copy of the Fee Apportionment List to the County Treasurer for collection purposes.

Section 4. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal

proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 5. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 6. In accordance with NRS § 244.100, this ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the ordinance and an adequate summary of the ordinance, and the date upon which a public hearing will be held on such ordinance by publication at least once in the Reno Gazette-Journal, i.e., a newspaper published and having general circulation in the County, at least ten (10) working days before the date set for such hearing, i.e., at least ten (10) working days before the 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 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. _____

ORDINANCE NO. _____

(of Washoe County, Nevada)

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.

An adequate summary of the ordinance is as follows:

The preambles of the ordinance recite that the Board of County Commissioners has created Washoe County, Nevada, District No. 24 (the "District") for the purpose of remediating the quality of water and various other matters in connection therewith, and recite the costs anticipated to be incurred therefore and the appropriation of those costs on the various parcels of land in the District, and make certain findings .

The ordaining clause is then set forth.

Section 1 ratifies the action previously taken and Section 2 imposes and apportions a fee for remediation on each parcel of land in the District except parcels owned by the Federal Government.

Section 3 provides for collection of the fee with general taxes.

Sections 4 and 5 authorize the County officials to take any action necessary to effectuate the ordinance; and provide a repealer clause for conflicting provisions.

Sections 6, 7 and 8 provide for notice by publication of the June 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 11, 2005.

/s/ Amy Harvey
County Clerk

(SEAL)

(End of Form for Publication)

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

(Form for Publication After Final Adoption of Ordinance)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE 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.

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 June 14, 2005.

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

(SEAL)

Attest:

/s/ Amy Harvey
County Clerk

(End of Form of Publication)

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

Proposed on the 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 Harvey
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 ordinance held on June 14, 2005 are attached as Exhibit A. 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: BONNIE WEBER

3. On June 14, 2005, after final adoption of the ordinance, I certified a copy of the District No. 24 (Groundwater Remediation) 2005-2006 Fee Apportionment List, as approved by the Board in the ordinance, to the County Treasurer.

4. 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,

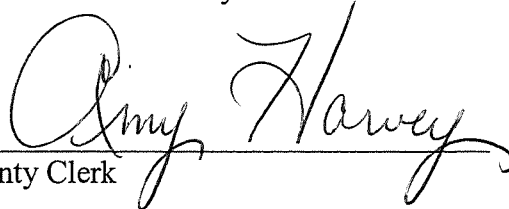
(b) By posting a copy of the notice at the principal office of the Board, or if there is no principal office, at the building in which the meeting was held, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

- 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 June 14, 2005.



 County Clerk

(SEAL)

EXHIBIT "A"

(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.

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 "B"

(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 to 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 "C"

(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 "D"

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

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STATE OF NEVADA
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.

Signed: *Linda Anderson*

Subscribed and sworn to before me
TANA CICCOTTI
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 02-75259-2 - Expires May 16, 2006

Tana Cicotti

JUN 03 2005

05-613

Proof of Publication

Bill No. 1446 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. 1446 (of Washoe County, Nevada) 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. An adequate summary of the ordinance is as follows: The preambles of the ordinance recite that the Board of County Commissioners has created Washoe County,

Nevada, District No. 24 (the "Dis- trict") for the purpose of remediating the quality of water and various other matters in connection therewith, and recite the costs anticipated to be incurred therefore and the appropriation of those costs on the various parcels of land in the District, and make certain findings. The ordaining clause is then set forth. Section 1 ratifies the action previously taken and Section 2 imposes and apportions a fee for remediation on each parcel of land in the District except parcels owned by the Federal Government. Section 3 provides for collection of the fee with general taxes. Sections 4 and 5 authorize the County officials to take any action necessary to effectuate the ordinance; and provide a repealer clause for conflicting provisions. Sections 6, 7 and 8 provide for notice by publication of the June 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 11, 2005 /s/ Amy Harvey (SEAL) County Clerk No. 54791 June 3, 2005

05-613

EXHIBIT "E"

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