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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **10/12/2007 - 10/19/2007**, for exact publication dates please see last line of Proof of Publication below.

Signed: *Linda Anderson*

Subscribed and sworn to before me



SEP 19 2007

*Tana Ciccotti*

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1345 NOTICE IS HEREBY GIVEN THAT: Bill No. 1524, Ordinance No. 1345 entitled: An Ordinance amending the powers of the Local District Managing Board for the South Truckee Meadows General Improvement District by delegating additional powers; and providing other matters properly relating thereto. (Bill No. 1524) PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the **County Clerk** of Washoe County, at her office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's website, [www.washoecounty.us/clerks](http://www.washoecounty.us/clerks). Such Ordinance was proposed on September 18, 2007, and passed and adopted at a regular meeting of the Washoe County Board of County Commissioners on October 9, 2007, by the following vote of the Board of County Commissioners: Those Voting Aye: Jim Galloway, Robert M. Larkin, Bonnie Weber, David Humke, Kitty Jung Those Voting Nay: None Those Absent: None This ordinance shall be in full force and effect from and after October 19, 2007, 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

*Handwritten initials and number 1345*

ordinance to be published by title only. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 492940 October 12, 19, 2007

SUMMARY: Delegates additional authority to the Local District Managing Board for the South Truckee Meadows General Improvement District.

BILL NO. 1524

ORDINANCE NO. 1345

AN ORDINANCE AMENDING THE POWERS OF THE LOCAL DISTRICT MANAGING BOARD FOR THE SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT BY DELEGATING ADDITIONAL POWERS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Section 2, paragraph 4 of Ordinance No 537 is hereby amended to read as follows:

4. a) Except as provided in subsection 4. b), c) and d), the Managing Board shall act as a recommending board to the Board of County Commissioners on all matters relating to the acquisition, construction, improvement and extension of the District's water system. To that end, all County employees who are involved with those same matters shall advise the Managing Board on an ongoing basis of the status of the District's operation. The Board of County Commissioners shall consider the recommendation made by the Managing Board before acting on any matter related to the recommendation.

b) The Managing Board shall approve, condition or deny all applications for annexation to the District for the purpose of obtaining water service from the District's water system pursuant to the District's Annexation Policy Guidelines. The decision of the Managing Board is final, subject to appeal to the District's Board of Trustees.

c) An action of the Managing Board made pursuant to this ordinance may be appealed in accordance with the provisions of this section.

1. Appeal Period. An appeal of the Managing Board's final decision may be made to the Board of Trustees within ten (10) days after the date of the final decision. If filed, an appeal stays any further action on the application until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.

2. Who Can Appeal. Appeals may be filed only by the following:
  - (a) The applicant or the applicant's authorized agent; and
  - (b) A person who may be adversely affected by the decision and has participated in the review process by submitting written or oral testimony on the application or by attending a public hearing on the application, or who was prevented from participating in the review by circumstances beyond his/her control.
3. Contents of Appeal. An appeal shall be filed with the Director of the Department of Water Resources accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Managing Board. Such reasons shall be based upon the evidence presented to the Managing Board at the original hearing. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.
4. Time Period for Hearing. The clerk of the Board of County Commissioners shall schedule for public hearing before the Board of Trustees the appeal of the Managing Board's final decision within thirty (30) days of the date of the filing of the appeal with the Director of the Department of Water Resources.
5. Notice of Hearing. Notice of hearing must be given only to properties abutting the property sought to be annexed. The notice shall state that an appeal of the Managing Board's final decision has been filed; describe the final decision; describe the lot, parcel, property or areas that are the subject of the final decision on the request; and other pertinent information.

6. Action by the Board of Trustees. The Board of Trustees shall consider only those items cited in the appeal. In its deliberation the Board of Trustees may not hear additional evidence or issues which were not presented to the Managing Board. If new evidence or issues are to be considered, the matter must be remanded to the Managing Board for rehearing. If an appeal is made from the rehearing, the Board of Trustees may confirm, reverse or modify the appealed actions based upon its interpretation of the findings required and the evidence submitted.
7. Effective Date. The decision of the Board of Trustees on the appeal from the Managing Board shall be effective immediately.

d) The Managing Board shall have authority, subject to the provisions of Washoe County Code sections 15.510 to 15.530, inclusive, and applicable provisions of state law, to submit to the Washoe County Purchasing and Contracts Administrator for the execution and purchase of supplies, materials, equipment, contractual services and consulting services required by the South Truckee Meadows General Improvement District for the effective furnishing of water service and facilities.

e) The Managing Board shall have the temporary authority, subject to the provisions of applicable state law, to appoint a Managing Board member as Interim Trustee representing the District on the governing board of the Interim Western Regional Water Commission, which delegation of appointment and representative authority shall cease and no longer be effective after April 1, 2008.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

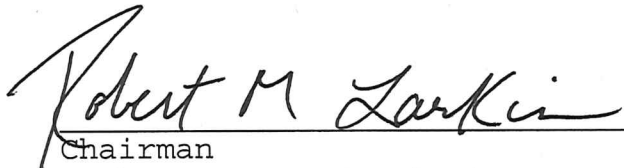
Proposed on the 18<sup>th</sup> day of September, 2007.  
Proposed by Commissioner Hunke.  
Passed on the 9<sup>th</sup> day of OCTOBER, 2007.

Vote:

Ayes: Larkin, Weber, Galloway, Humke, Jung

Nays: none

Absent: none

  
\_\_\_\_\_  
Chairman  
Washoe County Commission

ATTEST:

  
\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after the  
October 19, 2007.

PS/Sept. 13, 2007  
STMGID\Ordinance 2 amending Sec 2  
FINAL