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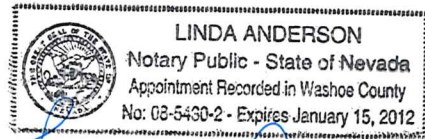
Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **05/15/2009 - 05/22/2009**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_



**MAY 22 2009**



**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1403 BILL NO. 1582  
ORDINANCE NO. 1403 An Ordinance authorizing the issuance of the Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C for the purpose of refunding certain outstanding bonds; specifying the terms and conditions of such bonds and their form; authorizing the finance director to specify other details concerning the bonds; repealing Ordinance No. 1394 adopted on February 24, 2009; providing for adoption as if an emergency exists and providing other details in connection therewith. (Bill No. 1582)  
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). and that said Ordinance was proposed by Commissioner Larkin on May 12, 2009, and was passed and adopted without amendment at the regular meeting on May 12, 2009, by the following vote of the Board of County Commissioners: Those Voting Aye: John Breternitz, David E. Humke, Kitty Jung, Bonnie Weber, Robert M. Larkin Those Voting Nay: None Those Absent: None This Ordinance shall be in full force and

effect from and after May 22, 2009, 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. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 642156 - May 15, 22, 2009

Summary - An ordinance authorizing the issuance of the Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C and providing other matters relating thereto.

BILL NO. 1582  
ORDINANCE NO. 1403

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM REFUNDING BONDS, SERIES 2009C FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS; SPECIFYING THE TERMS AND CONDITIONS OF SUCH BONDS AND THEIR FORM; AUTHORIZING THE FINANCE DIRECTOR TO SPECIFY OTHER DETAILS CONCERNING THE BONDS; REPEALING ORDINANCE NO. 1394 ADOPTED ON FEBRUARY 24, 2009; PROVIDING FOR ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.**

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; and

WHEREAS, pursuant to Nevada Revised Statutes ("NRS") Chapter 244A (the "County Bond Law"), NRS 350.087 through 350.095 (the "Project Act"), and NRS 350.500 through 350.720, and all laws amendatory thereof, designated in NRS 350.500 by the short title "Local Government Securities Law" (the "Bond Act"), the Board of County Commissioners of the County (the "Board") issued its Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Bonds, Series 2004 (the "2004 Bonds"); and

WHEREAS, interest rates have substantially declined since the issuance of the 2004 Bonds; and

WHEREAS, the Bond Act authorizes the County to issue refunding bonds to refund, pay and discharge all or a portion of the outstanding 2004 Bonds for the purpose of reducing interest costs or effecting other economies (the "Project"); and

WHEREAS, if the Finance Director of the County (the "Finance Director") determines that interest rate savings may be effected by refunding all or a portion of the 2004 Bonds, the County hereby determines to issue its Washoe County, Nevada, General Obligation (Limited

Tax) Medium-Term Refunding Bonds, Series 2009C (the "Bonds" or the "Bond") in the aggregate principal amount necessary to effect the Project and as set forth in the Certificate of the Finance Director (as defined herein) for the purpose of refunding, paying and discharging the principal of, interest on, and any redemption premiums due in connection with the redemption of all or a portion of the 2004 Bonds as set forth in the Escrow Agreement (as defined herein) (the "Refunded Bonds"); and

**WHEREAS**, the Board has heretofore elected to and hereby determines to issue the Bonds in accordance with the provisions of the Bond Act; and

**WHEREAS**, the Board has determined and hereby declares and determines that legally available funds of the County will at least equal the amount required in each year for the payment of principal of and interest on the Bonds; and

**WHEREAS**, pursuant to NRS 350.091, the Board has determined and hereby determines that the maximum term of the Bonds does not exceed the estimated useful life of the projects financed with the proceeds of the 2004 Bonds; and

**WHEREAS**, the Board is not authorized to levy general ad valorem taxes to pay the principal of or interest on the Bonds exempt from the limitations of any statutes of the State; any general ad valorem taxes levied for the purpose of paying principal or interest on the Bonds will be subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS 354.59811, 354.59813, 354.59815, 354.5982, and 361.453; and

**WHEREAS**, the Board is therefore authorized and empowered by the Project Act and by the Bond Act, without any further preliminaries:

- (1) to issue and sell the Bonds; and
- (2) to exercise the incidental powers provided in the Bond Act in

connection with the powers authorized therein or as otherwise expressly provided therein; and

**WHEREAS**, if the Finance Director determines that the County will achieve interest rate savings, after the sale of the Bonds pursuant to the provisions of NRS 350.105 to 350.195, inclusive (the "Bond Sale Act"), the Finance Director, or in his absence the County Manager of the

County (the "County Manager"), is hereby authorized to sell the Bond to the best bidder therefor (the "Purchaser") and to execute the Certificate of the Finance Director (hereinafter defined); and

**WHEREAS**, the Finance Director, or in his absence the County Manager, is hereby authorized to accept a binding offer for the Bond subject to the conditions and requirements set forth herein, the Bonds to bear interest at the rates per annum designated in a certificate dated on or before the date of delivery of the Bond (the "Certificate of the Finance Director"), such rates not to exceed 3% over the "Index of Twenty Bonds" most recently published in The Bond Buyer prior to the time the bids are received, at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the Bonds, less a discount or plus a premium not exceeding 9% of the principal amount thereof, which price does not result in an effective interest rate on the Bonds in excess of 3% over the "Index of Twenty Bonds" most recently published in The Bond Buyer prior to the time bids are received for the Bonds, all as specified in the Certificate of the Finance Director; and

**WHEREAS**, the Board hereby determines and declares that it is necessary and in the best interests of the County and its inhabitants to effect the Project and to issue and sell the Bonds to defray wholly or in part the cost of the Project; and

**WHEREAS**, there has been filed with the County the form of an escrow agreement (the "Escrow Agreement") between the County and U.S. Bank National Association, the escrow bank (the "Escrow Bank"); and

**WHEREAS**, the Board hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

**WHEREAS**, the Board has determined and hereby declares that each of the limitations and other conditions to the issuance of the Bonds in the County Bond Law, the Project Act, the Bond Act, the Supplemental Bond Act and in any other relevant act of the State or the Federal Government, has been met; and pursuant to NRS 350.708, this determination of the Board that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion; and

**WHEREAS**, the Board has determined and does hereby declare:

- (1) this Ordinance pertains to the sale, issuance and payment of the Bonds;

(2) such declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of subsection 2 of NRS 350.579; and

(3) this Ordinance may accordingly be adopted as if an emergency exists and may become effective at any time when an emergency ordinance of the County may go into effect.

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

Section 1. **Short Title.** This Ordinance shall be known and may be cited as the “2009C Medium-Term Refunding Bond Ordinance” (this “Ordinance”).

Section 2. **Sale of Bonds.** The Finance Director, or in his absence the County Manager, is authorized to execute the Certificate of the Finance Director and the Escrow Agreement, subject to the terms of this Ordinance and in substantially the forms on file with the County Clerk, with such changes as are acceptable to the Finance Director, or in his absence the County Manager, whose execution of the Certificate of the Finance Director and the Escrow Agreement shall be conclusive evidence of consent to any such changes.

Section 3. **Ratification.** All action taken (not inconsistent with the provisions of this Ordinance) by the Board and the officers and employees of the County directed (i) toward the purpose of defraying in whole or in part the cost of the Project, and (ii) toward the issuance and sale of the Bonds for that purpose, be, and the same hereby is, ratified, approved and confirmed.

Section 4. **Necessity of Project and Bonds.** It is necessary and in the best interests of the Board, its officers, and the inhabitants of the County, that the County effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

Section 5. **Authorization of Project.** The Board hereby authorizes the Project.

Section 6. **Authorization of Bonds.** For the purpose of providing funds to pay all or a portion of the cost of the Project, the County shall issue the “Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C” in the aggregate principal amount necessary to effect the Project and as set forth in the Certificate of the Finance Director. The Bonds shall be in the form substantially as set forth in Section 24 hereof.

Section 7. **Ordinance to Constitute Contract.** In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the County and the registered owners from time to time of the Bonds.

Section 8. **Bonds Equally Secured.** The covenants and agreements herein set forth to be performed shall be for the equal benefit, protection and security of the owners of any and all of the outstanding Bonds, all of which, regardless of the time or times of their maturity, shall be of equal rank without preference, priority or distinction except as otherwise expressly provided in or pursuant to this Ordinance.

Section 9. **General Obligations.** All of the Bonds, as to the principal thereof, any prepayment premiums due in connection therewith, and the interest thereon (the "Bond Requirements") shall constitute general obligations of the County, which hereby pledges its full faith and credit for their payment.

Section 10. **Payment of the Bonds.** The Bond Requirements of the Bonds shall be payable from any moneys legally available therefor, and the County irrevocably pledges its full faith and credit to the payment of the Bond Requirements. Provision for the payment of the Bond Requirements shall be made as provided in the Project Act; provided, however, that ad valorem taxes levied for the purpose of paying the Bond Requirements shall be subject to the limitations contained in the Constitution and statutes of the State, including, without limitation, the limitations on the levy of ad valorem taxes imposed by NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The County irrevocably covenants with the registered owners of the Bonds from time to time that it will make sufficient provisions annually in its budget to pay the Bond Requirements, when due.

Section 11. **Limitations upon Security.** The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the County, except for the proceeds of ad valorem taxes and any other moneys pledged for the payment of the Bonds. No property of the County, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

Section 12. **No Recourse Against Officers and Agents.** No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any

individual member of the Board or any officer or other agent of the Board or County, past, present or future, either directly or indirectly through the Board or the County, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bond and as a part of the consideration of its issuance specially waived and released.

Section 13. **Bond Details.** The Bonds shall be issued in fully registered form, i.e. registered as to both principal and interest. The Bonds shall be dated as of the date of delivery of the Bonds. The Bonds shall be issued as a single bond. The installments of principal of the Bond shall bear interest (calculated on the basis of a 360 day year consisting of twelve 30 day months) at the rates shown in the Certificate of the Finance Director, payable on January 1 and July 1 of each year commencing on January 1, 2010. The installments of principal of the Bond shall be payable on the dates and in the principal amounts as set forth in the Certificate of the Finance Director.

The installments of principal and interest prior to final payment shall be payable to the owner thereof as shown on the registration records kept by U.S. Bank National Association, as registrar for the Bonds (the "Registrar"), and the registration panel appended to the Bond. The final payment shall be payable upon presentation and surrender of the Bond at the office of U.S. Bank National Association, as paying agent for the Bonds (the "Paying Agent"), or such other office as designated by the Paying Agent. If any installment of principal of the Bond shall not be paid on the date due, it shall continue to draw interest at the interest rate set forth in the Certificate of the Finance Director until the principal thereof is paid in full. Payment of principal of and interest on the Bond shall be made to the owner thereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day). The Paying Agent may make payments of principal of and interest on the Bond by such alternative means as may be mutually agreed to between the registered owner of the Bond and the Paying Agent (provided, however, that the County shall not be required to make funds available to the Paying Agent prior to the due dates of interest and principal, respectively). All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.



Section 14. **Prepayment.**

(1) **Prepayment.** The installments of principal of the Bond, or portions thereof, maturing on and after the date set forth in the Certificate of the Finance Director, if any, shall be subject to prepayment, at the option of the County, on and after the date set forth in the Certificate of the Finance Director, at a price equal to the principal amount prepaid, the accrued interest thereon to the date of prepayment, and a premium, if any, in the amount set forth in the Certificate of the Finance Director. On the date of any partial prepayment, principal shall be payable solely to the registered owner thereof upon such partial prepayment and the Paying Agent shall make a notation in the records maintained by the Paying Agent and on the prepayment panel appended to the Bond, which notation by the Paying Agent shall be conclusive evidence of the date and amount of such prepayment.

(2) **Notice of Prepayment.** Unless waived by any registered owner of the Bond, notice of prepayment shall be given by the Registrar, by first class, postage prepaid mail, at least 10 days prior to the date fixed for prepayment, to the registered owner of the Bond at the address as it last appears on the registration records kept by the Registrar. Actual receipt of mailed notice by the registered owner of the Bond shall not be a condition precedent to prepayment of the Bond. A certificate by the Registrar that notice of prepayment has been given as provided in this Section shall be conclusive as against all parties; and no owner may object thereto or to the cessation of interest on the prepayment date on the ground that he failed actually to receive such notice of prepayment.

Notwithstanding the provisions of this Section, any notice of prepayment may contain a statement that the prepayment is conditional upon the receipt by the Paying Agent of funds on or before the date fixed for prepayment sufficient to pay the principal amount to be prepaid, the accrued interest thereon to the date of prepayment, and the premium, if any, of the installments of principal of and interest on the Bond so called for prepayment, and that if such funds are not available, such prepayment shall be canceled by written notice to the owners of the Bonds called for prepayment in the same manner as the original prepayment notice was mailed.

Section 15. **Negotiability.** Subject to the registration provisions herein provided, the Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform

Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

Section 16. **Registration, Transfer and Exchange of Bonds.** The Bond shall be subject to the following provisions relating to their registration, transfer and exchange:

(1) records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the owner or his or her attorney duly authorized in writing, the Registrar shall register the name of the on the registration panel appended to the Bond;

(2) the person in whose name the Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the owner thereof or his or her legal representative. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid;

(3) if the Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the County may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond of a like principal amount. If such lost, stolen, destroyed or mutilated Bond shall have matured or been called for prepayment, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement; and

(4) whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the Board, upon request.

Section 17. **Replacement of Registrar or Paying Agent.** If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Board shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, the Board may, upon notice mailed to each owner of any Bond at his or her address last shown on the

registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. Every such successor Registrar or Paying Agent shall be either an officer of the County or a commercial bank as defined in NRS 350.512 with trust powers. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the County shall have the right to have the same institution serve as both Registrar and Paying Agent. Any successor by merger with the Registrar and Paying Agent is automatically appointed as Registrar and Paying Agent hereunder without any further action of the Board, as long as the successor otherwise is qualified to act as Registrar and Paying Agent pursuant to this Section. Any bank, trust company or national banking association into which the Registrar and/or Paying Agent or its successor may be converted, merged or with which it may be consolidated, or to which it may sell or transfer all or substantially all of its corporate trust business shall be the successor of the Registrar and/or Paying Agent under this Ordinance with the same rights, powers, duties and obligations and subject to the same restrictions, limitations, and liabilities as its predecessor, all without the execution or filing of any papers or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 18. **Execution of Bonds.**

(1) If any Bonds bear facsimile signatures, pursuant to NRS 350.638 and to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as NRS Chapter 351, and to the Supplemental Bond Act, the Chairman of the Board (the "Chairman"), the County Treasurer (the "Treasurer") and the County Clerk (the "Clerk") shall have each filed with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

(2) The Bonds shall be approved, signed and executed in the name of and on behalf of the County with the manual or facsimile signature of the Chairman, shall be signed and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the County attested with the manual or facsimile signature of the Clerk.

(3) No Bond shall be valid or obligatory for any purpose unless the registration panel, substantially in the form hereinafter provided, has been duly manually executed by an authorized officer of the Registrar. By executing the registration panel of the Bond initially

delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

(4) The Chairman, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

Section 19. **Use of Predecessor's Signature.** The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the County, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Chairman, the Treasurer, and the Clerk at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

Section 20. **Incontestable Recital.** Pursuant to NRS 350.628, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

Section 21. **State Tax Exemption.** Pursuant to NRS 350.710, the Bonds, their transfer and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

Section 22. **Initial Registration.** In a separate book or electronic records, the Registrar shall maintain the registration records of the County for the Bonds, showing the name and address of the registered owner of the Bond.

Section 23. **Bond Delivery.** After such registration by the Registrar and after their execution, the Registrar shall cause the Bonds to be delivered to the Purchaser, upon payment being made in accordance with the terms of their sale.

Section 24. **Bond Form.** Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

WASHOE COUNTY, NEVADA  
GENERAL OBLIGATION (LIMITED TAX)  
MEDIUM-TERM REFUNDING BONDS  
SERIES 2009C

NO. \_\_\_\_\_

<u>Interest Rate</u> ____% per annum	<u>Maturity Date</u> June 1, _____	<u>Dated As Of</u> _____, 2009	<u>Principal Amount</u> \$ _____
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The County of Washoe in the State of Nevada (the "County" and the "State", respectively), for value received hereby acknowledges itself to be indebted and promises to pay to the registered owner specified on the registration panel appended to this Bond (the "Registered Owner") the principal amount specified above, in installments of principal in the amounts and on the dates as provided in the ordinance authorizing the issuance of this Bond adopted by the Board of County Commissioners (the "Board") on May 12, 2009 (the "Ordinance") and the Certificate of the County Finance Director, as defined in the Ordinance (the "Certificate"), together with interest on the unpaid installments of principal from the date of delivery of this Bond appearing above until payment of such installments of principal shall have been discharged as provided in the Ordinance, at the interest rate per annum stated above, being payable on January 1 and July 1 of each year commencing on January 1, 2010. The final payment of principal and interest on this Bond and the prepayment premium, if any, is payable upon presentation and surrender of this Bond at the office of U.S. Bank National Association, as paying agent for the Bond (the "Paying Agent"), which is also now acting as the County's registrar for the Bond (the "Registrar"), or at such other office as designated by the Paying Agent. Installments of principal and interest on this Bond will be paid on each payment date (or, if such payment date is not a business day, on the next succeeding business day), by check or draft mailed to the Registered Owner. If upon presentation at maturity payment of this Bond is not made as herein provided, interest shall continue at the rate specified in the Certificate until the principal hereof is paid in full. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Ordinance.

[The installments of principal of the Bond, or portions thereof, maturing on and after the date set forth in the Certificate are subject to prepayment, at the option of the County, on and after the date set forth in the Certificate, at a price equal to the principal amount prepaid, the accrued interest thereon to the date of prepayment, and a premium, if any, in the amount set forth in the Certificate. Upon partial prepayment, the Paying Agent shall make a notation in the records

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maintained by the Paying Agent and on the prepayment panel appended hereto, which notation by the Paying Agent shall be conclusive evidence of the date and amount of such prepayment.]

This Bond must be registered in the name of the owner as to both principal and interest on the registration panel appended to this Bond and on the registration records kept by the Registrar in conformity with the provisions stated herein, subject to the terms and conditions set forth in the Ordinance. No transfer of this Bond shall be valid unless made by the Registered Owner or his or her attorney duly authorized in writing on the registration records maintained at the principal office of the Registrar.

The County and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance.

This Bond is issued by the County upon the credit thereof, for the purpose of defraying wholly or in part the cost of refunding certain of the City's outstanding medium-term bonds, under the authority of and in full compliance with the Constitution and laws of the State and pursuant to the Ordinance.

This Bond is issued pursuant to Nevada Revised Statutes Chapter 244A (the "County Bond Law"), NRS 350.087 through 350.095, inclusive (the "Project Act"), NRS 350.105 to 350.195 (the "Bond Sale Act"), NRS 350.500 through 350.720, and all laws amendatory thereof, designated in NRS 350.500 as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to NRS 350.628, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to NRS 350.710, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to the provisions of Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to the provisions of Chapter 375B of NRS.

This Bond, as to all Bond Requirements, shall be payable from any moneys of the County legally available for the purpose of making such payment and the full faith and credit of the County are hereby irrevocably pledged for making such payment. Provision for the payment of the Bonds shall be made as provided in the Project Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal of and interest on the Bonds are subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The County is not authorized to levy ad valorem taxes to pay the principal of or interest on the Bonds exempt from the limitations of any such statutes, but the County has pledged its full faith and credit to make payment of the Bond Requirements of the Bonds, when due.

The County covenants and agrees with the owner of this Bond and with each and every person who may become the owner hereof that it will keep and will perform all of the covenants of the Ordinance.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Board, or any officer or other agent of the County, past, present, or future, either directly or indirectly through the Board or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.

It is hereby certified, recited, declared and warranted that all actions required to be taken prior to the issuance hereof have been had and taken by the County; that the issuance of the Bonds has been approved by the Executive Director of the Department of Taxation of the State of Nevada as required by the Project Act, and that the principal of the Bonds, when added to other County indebtedness, does not exceed the limits on indebtedness of the County provided in the Constitution and statutes of the State.

This Bond shall not be valid or obligatory for any purpose until the registration panel appended to this Bond has been duly manually executed by an authorized officer of the Registrar.

**IN WITNESS WHEREOF**, the Board of County Commissioners of Washoe County, State of Nevada, has caused this Bond to be executed in the name and on behalf of the County with the manual or facsimile signature of the Chairman of the Board, to be attested, signed and executed with a manual or facsimile signature of the County Clerk and to be signed, subscribed and executed by the manual or facsimile signature of the County Treasurer, and has caused a manual or facsimile impression of the seal of the County to be affixed hereon, all as of \_\_\_\_\_, 2009.

WASHOE COUNTY, NEVADA

\_\_\_\_\_  
(Manual or Facsimile Signature)  
Chairman  
Board of County Commissioners

(MANUAL OR FACSIMILE  
COUNTY SEAL)  
Attest:

\_\_\_\_\_  
(Manual or Facsimile Signature)  
County Treasurer

\_\_\_\_\_  
(Manual or Facsimile Signature)  
County Clerk

(Form of Registration Panel)

**PROVISION FOR REGISTRATION AS TO PRINCIPAL AND INTEREST**

This Bond must be registered as to both principal and interest on the registration records of the County, kept by U.S. Bank National Association, as Registrar. After registration as to principal and interest, the Registrar shall note such registration on such registration records and in the registration blank below, and the principal and interest on this Bond shall be paid to such Registered Owner. This Bond may be transferred by the Registered Owner or his or her legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said registration records and endorsed hereon.

Every privilege, registration and transfer shall be exercised only in accordance with the authorizing Ordinance and such reasonable rules and regulations as the Registrar may prescribe.

<b><u>Date of Registration</u></b>	<b><u>Name of Registered Owner</u></b>	<b><u>Signature of Registrar</u></b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(End of Registration Panel)



(Form of Prepayment Panel)

**PREPAYMENT PANEL**

The following installments of principal (or portions thereof) of this Bond have been prepaid by the County, in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

---

<u>Date of</u> <u>Prepayment</u>	<u>Principal</u>	<u>Signature of</u> <u>Authorized</u> <u>Representative of Paying Agent</u>

(End of Form of Prepayment Panel)

1403

(Form of Assignment for Bonds)

**ASSIGNMENT FOR BONDS**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Name of Transferee:

\_\_\_\_\_

Address of Transferee:

\_\_\_\_\_

\_\_\_\_\_

Social Security or other tax  
identification number of  
Transferee:

\_\_\_\_\_

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever. The signature must be guaranteed by an eligible guarantor institution as defined in 17 CFR 240.17 Ad-15(a)(2).

NOTICE: TRANSFER FEES MUST BE PAID TO THE REGISTRAR IN ORDER TO TRANSFER OR EXCHANGE THIS BOND AS PROVIDED IN THE WITHIN-MENTIONED ORDINANCE.

(End of Form of Assignment for Bonds)

Section 25. **Use of Bond Proceeds and Other Funds.** Pursuant to NRS 350.648, upon the issuance of the Bonds, the Bond proceeds together with other available moneys of the County, in an amount sufficient to establish an initial cash balance and to purchase the Federal Securities (as hereinafter defined) designated in the Escrow Agreement, shall be deposited into a special and separate trust fund held by the Escrow Bank and designated as the “Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C Escrow Account” (the “Escrow Account”) and shall be applied solely to the Project. All remaining proceeds of the Bonds shall be accounted for by deposit into a special account hereby created in the treasury of the County and designated as the “Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C Costs of Issuance Account” (the “Costs of Issuance Account”) and shall be applied solely to defray wholly or in part the costs of issuing the Bonds and establishing the Escrow Account. The moneys in the Escrow Account shall be applied to the Project as provided in the Escrow Agreement. After completion of the Project or after adequate provision therefore is made, pursuant to NRS 350.650, any unexpended balance of proceeds of the Bonds (or, unless otherwise required by law, any other moneys) remaining in the Costs of Issuance Account or the Escrow Account shall be deposited into the Medium-Term Debt Service Account (hereinafter created) for the payment of the principal of the Bonds as the same becomes due.

Section 26. **Use of Investment Gain.** Pursuant to NRS 350.658, moneys accounted for in the Costs of Issuance Account and the Medium-Term Debt Service Account shall only be invested in obligations which are direct obligations of the United States (“Federal Securities”) or other investments to the extent permitted by the laws of the State (Federal Securities and any such other investments, “Permitted Investments”). Any gain from any investment and any reinvestment of any proceeds of the Bonds in the Costs of Issuance Account or the Medium-Term Debt Service Account shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Costs of Issuance Account, and if not need to defray the cost of the Project, shall be deposited promptly into the Medium-Term Debt Service Account for the respective payment of the principal of or interest on the Bonds or any combination thereof. As provided in Section 34 hereof, any annual ad valorem taxes for the payment of the principal of or interest on the Bonds levied after such deposit of any such investment or reinvestment gain may be diminished to the

extent of the availability of such deposit for the payment of such principal or interest. Investments of amounts in the Escrow Account shall be made only as provided in the Escrow Agreement.

Section 27. **Completion of Project.** The County, with the proceeds derived from the sale of the Bonds, shall proceed to complete the Project without delay and with due diligence to the best of the County's ability, as hereinabove provided.

Section 28. **Prevention of Bond Default.** Subject to the provisions of Sections 30 and 34 hereof, the Treasurer shall use any Bond proceeds credited to the Costs of Issuance Account, without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys otherwise available therefor are insufficient for that purpose, unless such Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The Treasurer shall promptly notify the Board of any such use.

Section 29. **Purchaser Not Responsible.** The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the Project, or any part thereof, or to the completion of the Project. The Purchaser, any associate thereof, and any subsequent owner of any Bond shall in no manner be responsible for the application or disposal by the County or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys herein designated.

Section 30. **General Tax Levies.** Pursuant to NRS 350.596, if necessary, at any time when there are not sufficient funds on hand to pay the interest and the principal amount of Bonds, when due, the Bond Requirements shall be paid out of the general fund of the County or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of ad valorem taxes legally available therefor. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there shall be created and maintained a separate account designated as the "Washoe County, Nevada, General Obligation (Limited Tax) Medium-Term Refunding Bonds, Series 2009C, Medium-Term Debt Service Account" (the "Medium-Term Debt Service Account"). Pursuant to NRS 350.592 and 350.594 of the Bond Act,

and NRS 350.093 and 350.095 of the Project Act, except to the extent other funds are legally available therefor, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, an ad valorem tax on all property, both real and personal, subject to taxation within the boundaries of the County, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installment of interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay and retire the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to the Medium-Term Debt Service Account for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the County, the Board shall first make proper provisions through the levy of sufficient ad valorem taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the County, including, without limitation, the Bonds, subject to the limitations imposed by NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453 and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the County which are legally available to pay the Bond Requirements of the Bonds.

Section 31. **Priorities for Bonds.** The County hereby covenants that in any year in which the total ad valorem taxes levied against the property in the County by all overlapping units within the boundaries of the County exceeds the limitations imposed by NRS 361.453, 354.59811, 354.59813, 354.59815 and 354.5982 or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in ad valorem taxes levied by the County for purposes other than the payment of the Bond Requirements of the Bonds and other bonded indebtedness of the County including interest thereon. The ad valorem taxes levied for the payment of the Bonds and such bonded indebtedness and the interest thereon shall always enjoy a priority over ad valorem taxes levied by the County for all other purposes where reduction is necessary in order to comply with the limitation of NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453.

Section 32. **Correlation of Levies.** Such ad valorem taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Medium-Term Debt Service Account, which account shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

Section 33. **Use of General Fund.** Any sums becoming due on the Bonds at any time when there are on hand from such ad valorem taxes (and any other legally available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the County, reimbursement to be made for such general funds in the amounts so advanced when the ad valorem taxes herein provided for have been collected, pursuant to NRS 350.596.

Section 34. **Use of Other Funds.** Nothing in this Ordinance prevents the County from applying any funds (other than ad valorem taxes) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, mature, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to NRS 350.598.

Section 35. **Legislative Duties.** In accordance with NRS 350.592, it shall be the duty of the Board annually, at the time and in the manner provided by law for levying other ad valorem taxes of the County, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of ad valorem taxes; and the Board shall require the officers of the County to levy, extend and collect such ad valorem taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and the interest thereon. Such ad valorem taxes, when collected shall be kept for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore specified.

Section 36. **Appropriation of Ad Valorem Taxes.** In accordance with NRS 350.602, there is hereby specially appropriated the proceeds of such ad valorem taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the ad valorem taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements the Bonds have been wholly paid or provided for.

Section 37. **Protective Covenants.** The County covenants and agrees with each and every owner from time to time of the Bonds, that:

- (1) the Project shall be completed without delay; and
- (2) the County will make the payments of the installments of principal and interest on the Bonds at the place, on the date, and in the manner specified according to the true intent and meaning hereof.

Section 38. **Tax Covenant.** The County covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the County or any facilities refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the County in fulfilling the above covenant under the Tax Code have been met.

Section 39. **Defeasance.** When all Bond Requirements of any Bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged and that Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the County has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the County and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule.

For the purpose of this Section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

Section 40. **Maintenance of Escrow Account.** The Escrow Account shall be maintained by the County in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the redemption date for the Refunded Bonds as set forth in the Escrow Agreement (the "Refunded Bonds Redemption Date") and to redeem on the Refunded Bonds Redemption Date the Refunded Bonds at a redemption price equal to the principal amount thereof plus accrued interest to the redemption date.

Section 41. **Use of Escrow Account.** Moneys shall be withdrawn by the Escrow Bank from the Escrow Account in sufficient amounts and at such times to permit the payment without default to pay the principal, interest and any redemption premium of the Refunded Bonds on the Refunded Bonds Redemption Date. The County shall call for prior redemption of the Refunded Bonds on the Refunded Bonds Redemption Date as set forth in the Escrow Agreement. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the County as the Board may hereafter determine.

Section 42. **Insufficiency of Escrow Account.** If for any reason the amount in the Escrow Account shall at any time be insufficient for the purposes hereof, the County shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal, interest and any redemption premium due in connection with the Refunded Bonds as herein provided.

Section 43. **Exercise of Option.** The Board has elected and does hereby declare its intent to exercise on the behalf and in the name of the County its option to redeem on the Refunded Bonds Redemption Date the Refunded Bonds as set forth in the Escrow Agreement. The Board is hereby obligated so to exercise such option, which option shall be deemed to have been



exercised when notice is duly given and completed forthwith after the issuance of the Bonds as herein provided.

Section 44. **Notice of Prior Redemption and Defeasance.** The registrar for the 2004 Bonds, upon issuance of the Bonds, shall give the notices of redemption and defeasance in accordance with the provisions of the ordinances authorizing the issuance of the Refunded Bonds.

Section 45. **Delegated Powers.** The officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

(1) the printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

(2) the execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia;

(a) the signing of the Bonds;

(b) the tenure and identity of the officials of the County;

(c) the assessed valuation of the taxable property in and the indebtedness of the County;

(d) the rate of ad valorem taxes levied against taxable property in the County;

(e) the exemption of interest on the Bonds from federal income taxation;

(f) the delivery of the Bonds and the receipt of the Bond purchase price;

(g) the accuracy and completeness of any information provided in connection with the Bonds;

(h) if it is in accordance with the fact, the absence of litigation, pending or threatened, affecting the validity of the Bonds; and

(i) the execution of the Certificate of the Finance Director and the Escrow Agreement; the execution of appropriate agreements with the Escrow Bank, the Registrar and the Paying Agent as to their services hereunder; and

(3) the assembly and dissemination of financial and other information concerning the County and the Bonds.

Section 46. **Police Power.** Nothing in this ordinance prohibits or otherwise limits or inhibits the reasonable exercise in the future by the State and its governmental bodies of the police powers and powers of taxation inherent in the sovereignty of the State or the exercise by the United States of the powers delegated to it by the Federal Constitution. The County cannot contract away such powers nor limit or inhibit by contract the proper exercise thereof, and this ordinance does not purport to do so.

Section 47. **Ordinance Irrepealable.** After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the County and the owner or owners of the Bonds; and this Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

Section 48. **Repealer.** Ordinance No. 1394 adopted by the Board on February 24, 2009 is hereby repealed since the bonds authorized pursuant to that ordinance were not issued. All other ordinances, resolution bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolutions, bylaw or order, or part hereof, heretofore repealed.

Section 49. **Emergency.** The Board has expressed in the preambles of this Ordinance that it pertains to the sale, issuance and payment of the Bonds, that this Ordinance may accordingly be adopted as if an emergency now exists, and may become effective at any time when an emergency ordinance of the County may go into effect. Consequently, pursuant to NRS 350.579 final action shall be taken immediately, and this Ordinance shall be in effect from and after its publication by title as herein provided.

Section 50. **Publication and Effective Date.** After this Ordinance is signed by the Chairman and attested and sealed by the Clerk, this Ordinance shall be in effect from and after its publication twice by its title only, together with the names of the Commissioners voting for or against its passage and a statement that typewritten copies of this Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in a

newspaper published and having a general circulation in the County at least once a week for a period of two weeks, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM REFUNDING BONDS, SERIES 2009C FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS; SPECIFYING THE TERMS AND CONDITIONS OF SUCH BONDS AND THEIR FORM; AUTHORIZING THE FINANCE DIRECTOR TO SPECIFY OTHER DETAILS CONCERNING THE BONDS; REPEALING ORDINANCE NO. 1394 ADOPTED ON FEBRUARY 24, 2009; PROVIDING FOR ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.**

**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, Nevada at her office in the County Courthouse, 75 Court Street, Reno, Nevada, and that such Ordinance was proposed by Commissioner \_\_\_\_\_ on May 12, 2009, and was passed and adopted at a regular meeting held on May 12, 2009, by the following vote of the Board of County Commissioners:

Those Voting Aye:	John Breternitz David E. Humke Kitty Jung Robert M. Larkin Bonnie Weber
Those Voting Nay:	_____ _____ _____
Those Absent:	_____ _____ _____
Those Abstaining:	_____ _____ _____

This Ordinance shall be in full force and effect from and after \_\_\_\_\_, 2009, i.e., the date of the second publication of such ordinance by its title only.

1403

**IN WITNESS WHEREOF**, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

**DATED** this May 12, 2009.

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

(SEAL)

Attest:

/s/ Amy Harvey  
County Clerk

(End of Form of Publication)

Section 51. **Parties Interested Herein.** Nothing in this ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the County, the insurer of the Bonds, if any, and the registered owners of the Bonds, any right, remedy or claim under or by reason of this ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this ordinance contained by and on behalf of the County shall be for the sole and exclusive benefit of the County and the registered owners of the Bonds.

Section 52. **Severability.** If any section, paragraph, clause or 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 provision shall not affect any of the remaining provisions of this Ordinance.

**PASSED AND ADOPTED BY AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, THIS MAY 12, 2009.**

Proposed on May 12, 2009.

Proposed by Commissioner Larkin

Passed May 12, 2009.

Vote:

Ayes:

John Breternitz  
David E. Humke  
Kitty Jung  
Robert M. Larkin  
Bonnie Weber

Nays:

none

Absent:

none

Abstaining:

David Fisher

Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

County Clerk



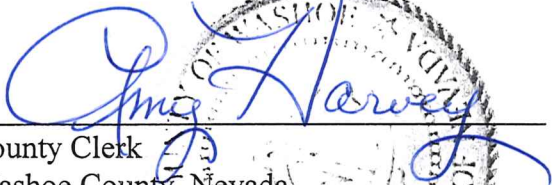
This Ordinance shall be in force and effect from and after the 22 day of the month of May the year of 2009, the date of the second publication of such ordinance by its title only.


STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

I, Amy Harvey, am the duly chosen, qualified and acting Clerk of Washoe County (the "County"), in the State of Nevada and do hereby certify:

1. The foregoing pages are a true, correct and compared copy of an ordinance adopted by Board of County Commissioners (the "Board") of the County at a meeting held on May 12, 2009 (the "Ordinance").
2. The members of the Board voted on the Ordinance as set forth following the Ordinance.
3. The original of the Ordinance has been approved and authenticated by the signatures of the Chair of the Board and myself as County Clerk and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.
4. After adoption, the Ordinance was published twice by title and an affidavit of publication is attached hereto as Exhibit B.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the County this May 12, 2009.

  
\_\_\_\_\_  
County Clerk  
Washoe County, Nevada



(SEAL)



The undersigned does hereby certify:

1. All members of the Board were given due and proper notice of the meeting held on May 12, 2009.

2. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Ordinance, as posted not later than 9:00 a.m. on the third working day prior to the meeting, on the County's website, and at the following locations:

- (i) Washoe County Administration Complex  
1001 East Ninth Street, Bldg. A  
Reno, Nevada
- (ii) Washoe County Courthouse-Clerk's Office  
Virginia and Court Streets  
Reno, Nevada
- (iii) Washoe County Central Library  
301 South Center Street  
Reno, Nevada
- (iv) Sparks Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

is attached as Exhibit A.

3. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

**IN WITNESS WHEREOF**, I have hereunto set my hand this May 12, 2009.

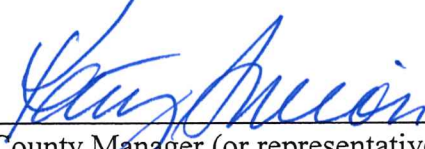
  
\_\_\_\_\_  
County Manager (or representative thereof)  
Washoe County, Nevada

EXHIBIT A

(Attach Copy of Notice of Meeting)

**COUNTY COMMISSIONERS**

David Humke, Chairman  
Jonnie Weber, Vice-Chairman  
John Breternitz  
Kitty Jung  
Bob Larkin

**COUNTY MANAGER**

Katy Simon

**ASSISTANT  
DISTRICT ATTORNEY**

Paul Lipparelli

**AGENDA**

**WASHOE COUNTY BOARD OF COMMISSIONERS**

**COMMISSION CHAMBERS - 1001 E. 9<sup>th</sup> Street, Reno, Nevada**

**May 12, 2009**

**10:00 a.m.**

**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 or may be voted on in a block.

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** during the Commission Meeting on May 12, 2009 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. 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.

The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: "\*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda".

18. Recommendation to authorize Chairman to execute Resolution pursuant to NRS 278.0272(7) to sponsor amendment of the Regional Utility Corridor Report, a part of the Truckee Meadows Regional Plan, for the creation of a new Utility Corridor and related utility sites from Virginia Peak in the Pah Rah Range along the eastern side of the Warm Springs Valley to the Tracy Power Plant as identified in Exhibit A--Community Development. (Commission District 4.) *Continued from April 28, 2009 Commission Meeting.*
19. Recommendation to approve and execute an Ordinance authorizing the issuance of the Washoe County, Nevada, Special Assessment District No. 39 (Lightning W Water System Supply Improvement Project) local improvement district bonds, Series 2009 in the maximum aggregate principal amount of \$1,478,641 to finance the cost of water system improvements; providing for adoption as if an emergency exists; and providing the effective date hereof and other matters properly related thereto--Finance. (Commission District 2.)
20. Recommendation to approve and execute an Ordinance authorizing the issuance of the Washoe County, Nevada, General Obligation (limited tax) Medium-term Refunding Bonds, Series 2009C for the purpose of refunding certain outstanding bonds; specifying the terms and conditions of such bonds and their form; authorizing the Finance Director to specify other details concerning the bonds; repealing Ordinance No. 1394 adopted on February 24, 2009; providing for adoption as if an emergency exists and providing other details in connection therewith--Finance. (Commission District 4.)
21. Recommendation to approve and execute an Ordinance authorizing the issuance by Washoe County, Nevada of its "Washoe County, Nevada, General Obligation (limited tax) (additionally secured by pledged revenues) Golf Course Refunding Bonds, Series 2009D" for the purpose of refunding certain outstanding bonds; providing the form, terms and conditions of the bonds; securing their payment by a pledge of the net revenues of the golf course facilities to be financed with the proceeds of the bonds; repealing Ordinance No. 1395 adopted on February 24, 2009; providing for adoption as if an emergency exists and providing other details in connection therewith--Finance. (All Commission Districts.)
22. Recommendation to approve and execute an Ordinance authorizing the issuance of the "Washoe County, Nevada, General Obligation (limited tax) Refunding Bonds (additionally secured by pledged revenues), Series 2009A," for the purpose of refunding certain outstanding bonds secured by consolidated tax pledged revenues; providing the form, terms and conditions of the bonds and other details in connection therewith; repealing Ordinance No. 1392 adopted on February 24, 2009; and adopting this Ordinance as if an emergency now exists--Finance. (Commission District 4.)
23. Accept staff report and possible action and direction regarding issues relating to Northgate Golf Course including, but not limited to, an update on the appraisal of the property; identification of possible sources of matching funds for an anticipated application for SQ-1 Open Space Acquisition funding; status of Reno City Council discussion on their participation in property maintenance; and a decision on whether to operate the property as a golf course--Regional Parks and Open Space. (Commission Districts 1 and 5.)

EXHIBIT B

(Attach Affidavit of Publication)