

# RENO GAZETTE-JOURNAL

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PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-  
JOURNAL, a daily newspaper published in Reno,  
shoe County, State of Nevada, that the notice:  
of Ords

of which a copy is hereto attached, has been  
published in each regular and entire issue of  
said newspaper on the following dates to wit:

Oct 21, 28, 1997

Signed

*T. Ciccotti*

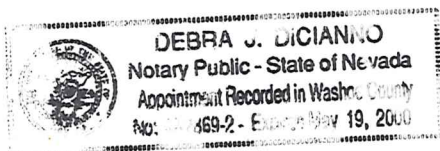
Subscribed and sworn to before me on 10/28/97

Notary Public

*Debra J. Dicianno*

BILL NO. 1170  
ORDINANCE NO. 995  
AN ORDINANCE AMENDING OR-  
DINANCE NO. 972 OF THE COUNTY  
DESIGNATED AS THE "1996 PUBLIC  
SAFETY BOND ORDINANCE" IN  
ORDER TO PROVIDE ADDITIONAL  
PURPOSES FOR WHICH INVESTMENT  
INCOME EARNED ON BOND PRO-  
CEEDS MAY BE EXPENDED;  
PROVIDING FOR ADOPTION AS IF AN  
EMERGENCY EXISTS AND PROVID-  
ING OTHER DETAILS IN  
CONNECTION THEREWITH; PROVID-  
ING THE EFFECTIVE DATE HEREOF.  
  
PUBLIC NOTICE IS HEREBY GIVEN  
that typewritten copies of the above-  
numbered and entitled ordinance are  
available for inspection by the in-  
terested parties at the office of the  
County Clerk of Washoe County,  
Nevada at her office in the Washoe  
County Courthouse, 75 Court Street,  
Reno, Nevada; and that said ordinance  
was proposed by Commissioner Gallo-  
way on the 14th day of October, 1997,  
and passed and adopted without  
amendment at a regular meeting held  
on the 14th day of October, 1997 by  
Sue Camp, Jim Galloway, Mike  
Mouliot, and Jim Shaw, with Joanne  
Bond absent.  
  
The Ordinance shall be in full force  
and effect from and after the 28th day  
of October, 1997, the date of the  
second publication of such Ordinance  
by title only.  
  
IN WITNESS WHEREOF, the Board of  
County Commissioners of Washoe  
County, Nevada, has caused this  
Ordinance to be published by title  
only.  
  
/s/ Joanne Bond, Chairman  
Board of Washoe County  
Commissioners  
ATTEST:  
/s/ Judi Bailey, County Clerk  
No.4134 Oct.21,28,1997

PLEASE STAMP & SIGN FOR PAYMENT



P.O. BOX 22000, RENO, NEVADA 89520

(702) 788-6200



995 ✓

Summary - An ordinance amending the ordinance of the County authorizing the issuance of public safety bonds supported by the voters at the November, 1996 general election.

**BILL NO. 1170**  
**ORDINANCE NO. 995**  
**(of Washoe County, Nevada)**

**AN ORDINANCE AMENDING ORDINANCE NO. 972 OF THE COUNTY DESIGNATED AS THE "1996 PUBLIC SAFETY BOND ORDINANCE" IN ORDER TO PROVIDE ADDITIONAL PURPOSES FOR WHICH INVESTMENT INCOME EARNED ON BOND PROCEEDS MAY BE EXPENDED; PROVIDING FOR ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the Board of County Commissioners (the "Board" or the "Governing Body") of Washoe County, Nevada (the "County"), pursuant to Ordinance No. 972 of the County adopted and approved on November 16, 1996 (the "Bond Ordinance") has heretofore issued its General Obligation (Limited Tax) Public Safety Bonds, Series December 1, 1996 in the principal amount of \$19,000,000 (the "Bonds") for the purpose of improving and equipping public safety facilities including additions to the inmate housing units at the Consolidated Jail and a regional emergency radio system (the "Project"); and

**WHEREAS**, Section 20 of the Bond Ordinance provides for the use of investment gain received from the investment and reinvestment of the proceeds of the bonds; and

**WHEREAS**, the County desires to be able to use the investment gain on the bonds in a manner provided by Subsection 4 of 350.658 by allowing that gain to be pledged and deposited into a fund or account pertaining to the Project or its County's general fund, to be used for purposes relating to public safety; and

**WHEREAS**, the County desires to amend the Ordinance to so provide that investment may be used as provided in the preceding preamble; and

**WHEREAS**, the Board has determined and does hereby determine and declare that this ordinance pertains to the sale, issuance and payment of the bonds; and

**WHEREAS**, this declaration shall be conclusive in the absence of fraud or gross misdiscretion in accordance with the provisions of Subsection 2 of NRS 350.579; and

**WHEREAS**, this ordinance may accordingly be adopted as if an emergency now exists and shall take effect from and after its passage and publication twice by title and collateral statement in accordance with law.

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

**Section 1.** Section 20 of Ordinance No. 972 is hereby amended to read as follows:

"Section 20. Use of Investment Gain. Pursuant to NRS § 350.658, any gain from any investment and any reinvestment of any proceeds of the Bonds, shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Construction Fund to defray, in part, the cost of the Project or into any fund or account pertaining to the Project or the County's general fund, in any event to be used for the Project and other capital expenditures for the purpose of improving and equipping public safety facilities, or, if adequate provision has been made therefor, into the Principal Fund or the Interest Fund, hereinafter created, for the respective payment of the principal of or interest on the Bonds. As provided in Section 24 hereof ("General Tax Levies"), General Taxes for the payment of the principal of or interest on the Bonds levied after such deposit may be diminished to the extent of the availability of such deposit for the payment of such principal or interest."

**Section 2.** All action heretofore taken by the County and the officers thereof consistent with the provisions of this amendatory ordinance hereby ratified, approved and adopted.

**Section 3.** The officers of the County are authorized to take all action necessary to effectuate the provisions of this Ordinance.

**Section 4.** After its adoption and effective date, copies of this amendatory ordinance shall be transmitted by the County Clerk to Moody's Investors Services and Standard & Poor's Rating Service, as is required by Section 34C of the Bond Ordinance.

**Section 5.** Publication of Effective Date of Ordinance. The Board has expressed in the preambles to this ordinance that it pertains to the sale, issuance and payment of the Bonds, and accordingly, it shall be adopted as if an emergency exists and final action hereon shall be taken immediately. This ordinance shall be in effect from and after the date of its publication as hereinafter provided, as consent has been received to the amendment made to ordinance No. 972 from the insurer of the Bonds authorized therein, as evidenced by Exhibit I hereto. After this ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this ordinance shall be published twice 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 publications 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, such publication to be in substantially the following form:

(Form for Publication)

**BILL NO. \_\_\_\_**

**ORDINANCE NO. \_\_\_\_**

**(of Washoe County, Nevada)**

**AN ORDINANCE AMENDING ORDINANCE NO. 972 OF THE COUNTY DESIGNATED AS THE "1996 PUBLIC SAFETY BOND ORDINANCE" IN ORDER TO PROVIDE ADDITIONAL PURPOSES FOR WHICH INVESTMENT INCOME EARNED ON BOND PROCEEDS MAY BE EXPENDED; PROVIDING FOR ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING THE EFFECTIVE DATE HEREOF.**

**PUBLIC NOTICE IS HEREBY GIVEN** that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and that said ordinance was proposed by Commissioner \_\_\_\_\_ on October 14, 1997 and passed and adopted without amendment at a regular meeting held on October 14, 1997 by the following vote of the Board of County Commissioners:

Those Voting Aye:

Joanne Bond

Sue Camp

Jim Galloway

Mike Mouliot

Jim Shaw

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

Those Abstaining:

\_\_\_\_\_  
\_\_\_\_\_

This ordinance shall be in full force and effect from and after October \_\_\_, 1997.

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

DATED this October 14, 1997.

/s/ Joanne Bond  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Judi Bailey  
County Clerk

(End of Form of Publication)

**Section 6.** Severability. 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 October 14, 1997.

Proposed by Commissioner Jim Galloway.

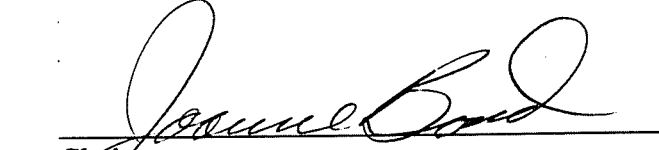
Passed on October 14, 1997.

Ayes: Joanne Bond  
Sue Camp  
Jim Galloway  
Mike Mouliot  
Jim Shaw

Nays:


Absent: Joanne Bond

Those Abstaining:

  
\_\_\_\_\_  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

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

This ordinance shall be in full force and effect from and after October 28, 1997, i.e., the date of the second publication of such ordinance by its title only

Exhibit I  
Attach Insurer's Consent



**CERTIFICATE OF MBIA INSURANCE CORPORATION**

**IT IS HEREBY CERTIFIED** by the undersigned, a representative of MBIA Insurance Corporation (formerly Municipal Bond Investors Assurance Corporation), a stock insurance company incorporated under the laws of the State of New York ("MBIA") that:

1. MBIA issued a policy of insurance (the "Policy") insuring the principal of and interest on all of the outstanding Washoe County, Nevada General Obligation (Limited Tax) Public Safety Bonds, Series December, 1996 (the "Bonds").

2. MBIA is not in default in the payment of any of its obligations under the Policy, and the Policy, as of the date hereof, is in full force and effect.

3. The undersigned is authorized to execute this Certificate on behalf of MBIA, and once executed, this Certificate will constitute a consent of MBIA.

4. In accordance with the requirements of Section 34 of Ordinance No. 972 of the County (the "Bond Ordinance"), authorizing the Bonds, MBIA hereby consents to the amendment to Section 20 of the Bond Ordinance set forth in the Ordinance attached hereto as Exhibit A (the "Amendatory Bond Ordinance") and consents to the adoption of such Amendatory Bond Ordinance.

**DATED** as of September 23, 1997

MBIA INSURANCE CORPORATION

By: \_\_\_\_\_  
Title: \_\_\_\_\_

*Patrick Mathis*  
Vice President

Section 20. Use of Investment Gain. Pursuant to NRS § 350.658, any gain from any investment and any reinvestment of any proceeds of the Bonds, shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Construction Fund to defray, in part, the cost of the Project or *into any fund or account pertaining to the Project or the County's general fund, in any event to be used for the Project and other capital expenditures for the purpose of improving and equipping public safety facilities, or*, if adequate provision has been made ~~for the Project~~ *therefor*, into the Principal Fund or the Interest Fund, hereinafter created, for the respective payment of the principal of or interest on the Bonds. As provided in Section 24 hereof ("General Tax Levies"), General Taxes for the payment of the principal of or interest on the Bonds levied after such deposit may be diminished to the extent of the availability of such deposit for the payment of such principal or interest.

STATE OF NEVADA                    )  
                                                   ) ss  
 COUNTY OF WASHOE                )

I, Judi Bailey, the duly chosen, qualified and acting County Clerk of the County of Washoe (herein the "County"), in the State of Nevada, and ex-officio Clerk of its Board of County Commissioners (herein the "Board"), do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance, adopted by the Board at its meeting held on October 14, 1997.

2. The original of such ordinance has been approved and authenticated by the signature of the Chair of the Board and myself as County Clerk, and sealed with the seal of the County 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 such officers and properly sealed.

3. The members of the Board voted on the passage of such ordinance as follows:

Ayes:	Joanne Bond
	Sue Camp
	Jim Galloway
	Mike Mouliot
	Jim Shaw

Nays:

Absent:	Joanne Bond
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Those Abstaining:

4. All members of the Board were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, as amended, written notice of the meeting was given by 9:00 a.m. at least three working days before the meeting, including in the notice the time, place, location and agenda of the meeting:

(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 is to be held, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

- i) Washoe County Administration Complex  
1001 East Ninth Street  
Reno, Nevada
- ii) Washoe County Courthouse  
Virginia and Court Streets  
Reno, Nevada
- iii) Washoe County Library  
301 South Center Street  
Reno, Nevada
- iv) Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

and

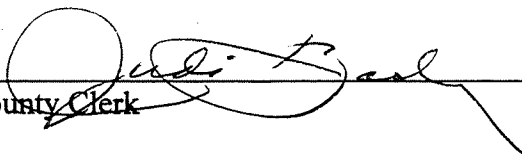
(c) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Board in the same manner in which notice is required to be mailed to a member of the Board. Such notice was deposited with the mail service used by the County by 9:00 a.m. at least three working days before the October 14, 1997 meeting.

5. A copy of the notice so given of the meeting of the Board held on October 14, 1997 is attached to this certificate as Exhibit A, and a copy of an affidavit evidencing publication of the ordinance twice by title in the Reno Gazette-Journal is attached to this certificate as Exhibit B.

6. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing

body for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Washoe County, Nevada, this October 14, 1997.

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

(SEAL)