

RENO GAZETTE-JOURNAL

Legal Advertising Dept. 702-788-6394

Customer Account # 349008
PO #/ID #*ord1000/4551

WASHOE COUNTY
Comptroller's Office
PO Box 11130
RENO NV 89510

Legal Ad Cost 68.93

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:
ordinance 1000

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:

Nov 21, 28 1997

Signed

Subscribed and sworn to before me on 11/28/97

Notary Public

BILL NO. 1175
ORDINANCE NO. 1000

AN ORDINANCE CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); ORDERING A PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE COLLECTION OF THE COST THEREOF; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner Jim Shaw on October 21, 1997, and following a public hearing, was passed and adopted unanimously without amendment at a regular meeting held not more than 35 days after the close of the hearing, on November 12, 1997, by Joanne Bond, Sue Camp, Jim Galloway, Mike Moulot, and Jim Shaw.

The Ordinance shall be in full force and effect from and after the 28th day of November, 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. 4551 Nov.21,28,1997

JO ANNE F. WESSEL
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 93-0886-2 - EXPIRES NOV. 18, 2000

P.O. BOX 22000, RENO, NEVADA 89520
(702) 788-6200

GANNETT PLEASE STAMP & SIGN FOR PAYMENT 1000

Summary - An ordinance creating the Washoe County, Nevada District No. 24 (Groundwater Remediation); ratifying action taken by County officers toward the creation of such District and providing other matters related thereto.

BILL NO. 1175

ORDINANCE NO. 1000

*Amended by Ord. No. 1301
dated*

AN ORDINANCE CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); ORDERING A PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE COLLECTION OF THE COST THEREOF; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

June 23, 2006

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is considering creation of a district for the remediation of the quality of water pursuant to NRS 540A.250 through 540A.280 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

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

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

WHEREAS, subsection 2 of NRS § 540A.250 provides that on receipt of the Certification, the Board must proceed in cooperation with the County or District Health Officer and the Division to verify the existence and extent of the condition and establish the appropriate boundaries of a district for the remediation of the quality of water (the "District"); and

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

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

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

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

WHEREAS, pursuant to NRS § 540A.250 and the Certification so received, the Board has proceeded in cooperation with the County Health Officer and the Division of Environmental Protection to verify the existence of the condition and establish appropriate boundaries of the District, and in connection therewith, the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" (the "Plan for Remediation") a copy of what is and has been since September 16, 1997 on file in the office of the County Clerk; and

WHEREAS, the Plan for Remediation has been submitted to the Division approved by them pursuant to Subsection 1 of NRS 540A.260; and

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

WHEREAS, it is therefore proposed that the boundaries of the District shall include the wholesale and retail water service area of Sierra Pacific Power Company, which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

WHEREAS, pursuant to Section 2 of the 1997 Act, the Board is required to hold a hearing before determining the boundaries of the District; and

WHEREAS, a description of the proposed boundaries of the District has been filed with the County Clerk prior to September 16, 1997, which description is herein referred to as the "District Boundaries"; and

WHEREAS, after published notice, a hearing was held on October 21, 1997 and all persons desiring to be heard concerning the creation and designation of the boundaries of the District were heard; and

WHEREAS, the Board has determined and the Board hereby determines that no adjustments to the District Boundaries appear to be necessary; and

WHEREAS, the Board desires to now create the District and to specify the District Boundaries.

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

Section 1. There shall be, and hereby is, created in the County a district designated as the "Washoe County, Nevada District No. 24 (Groundwater Remediation)" for the purpose of remediating the quality of water and paying the cost of developing and implementing the Plan for Remediation.

Section 2. The boundaries of the District are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk.

Section 3. A project consisting of developing and implementing the Plan for Remediation is hereby ordered to be acquired. After the ordinance is effective, the Board shall determine and from time to time redetermine (i) the cost of developing and carrying out the Plan for Remediation, as provided in NRS 540A.250 and (ii) the amount of an annual fee to be imposed upon properties in the District to recover those costs, as provided in Sec. 3 of Ch 379, Statutes of Nevada, 1997 (the "1997 Act"). The annual fee shall be apportioned among the properties in the District and collected as provided in Section 3 of the 1997 Act.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the Board and the officers of the County (not inconsistent with the provisions of this Ordinance), concerning the District, is ratified, approved and confirmed.

Section 5. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for developing and carrying out the Plan for Remediation, and the preparation of recommendations to the Board of the cost thereof and appointment of such costs among the properties in the District. This section does not authorize the execution of any contracts to carry out the Plan for Remediation without Board approval.

Section 6. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 7. In accordance with NRS 244.100, this Ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed Ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the Ordinance and an adequate summary of the Ordinance, and the date upon which a public hearing will be held on such ordinance by publication at least once in the Reno Gazette-Journal, i.e., a newspaper published and having general circulation in the County, at least ten (10) working days before the date set for such hearing, i.e., at least ten (10) working days before the 12th day of November, 1997, such publication to be in substantially in the following form:

(Form of Publication of Notice of Filing of Bill for an Ordinance)

Bill No. _____

Notice of Public Hearing Before

The Washoe County Board of County Commissioners

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, at 7:00 p.m., on Tuesday, the 12th day of November, 1997, for the purpose of hearing objections to the adoption of a proposed ordinance. At such hearing, interested persons may present their views. The Ordinance is entitled:

BILL NO. _____

ORDINANCE NO. _____

(of Washoe County, Nevada)

AN ORDINANCE CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); ORDERING A PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE COLLECTION OF THE COST THEREOF; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

An adequate summary of the Ordinance is as follows:

The preambles of the Ordinance recite that the Board of County Commissioners deems it necessary to create Washoe County, Nevada, Special Assessment District No. 24 for the purpose of remediating the quality of water at various other matters in connection therewith, and make certain findings .

The ordaining clause is then set forth.

Sections 1 and 2 create a district for remediation designated Washoe County, Nevada, District No. 24 (Groundwater Remediation) and provide the boundaries of the District.

Section 3 provides for acquisition of a project consisting of developing and implementing a plan for remediation and for determining and apportioning the costs of remediation among properties in the District.

Sections 4, 5, and 6 ratify, approve and confirm all consistent prior action taken in connection with the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions.

Sections 7, 8 and 9 provide for notice by publication of the November 12, 1997 hearing on the Ordinance, and for this summary of the provisions of the Ordinance; provide that the Ordinance shall be in effect from and after its publication for two weeks following its final adoption on November 12, 1997; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the Ordinance; and provide a severability clause.

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

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

DATED: October 21, 1997

/s/ Judi Bailey

County Clerk

(SEAL)

(End of Form for Publication)

Section 15. This Ordinance shall be in effect from and after its publication as hereinafter provided, and after this Ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this Ordinance shall be published by title only, together with the names of the Commissioners voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette-Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to NRS 244.100 and all laws thereunto enabling, such publication to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

BILL NO. 97- _____

ORDINANCE NO. _____

AN ORDINANCE CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); ORDERING A PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE COLLECTION OF THE COST THEREOF; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled Ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said Ordinance was proposed by Commissioner _____ on October 21, 1997, and following a public hearing, was passed and adopted without amendment at a regular meeting held not more than 35 days after the close of the hearing, i.e., at the regular meeting on November 12, 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:

This Ordinance shall be in full force and effect from and after November ____, 1997, i.e., the date of the second publication of such O Ordinance by its title only.

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

DATED: November 12, 1997

/s/ _____
Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

/s/ Judi Bailey _____
County Clerk

Section 16. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Proposed on the 21st day of October, 1997.

Proposed by Commissioner JIM SHAW

Passed the 12th day of November, 1997.

Those Voting Aye:

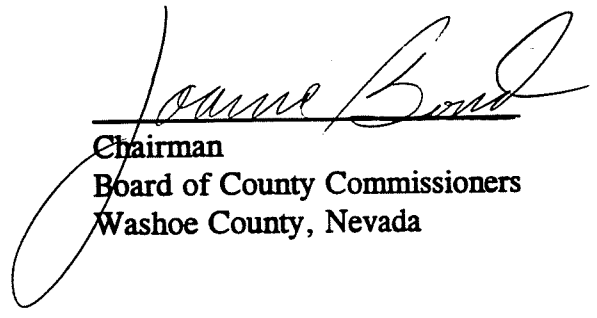
Joanne Bond
Sue Camp
Jim Galloway
Mike Mouliot
Jim Shaw

Those Voting Nay:

NONE

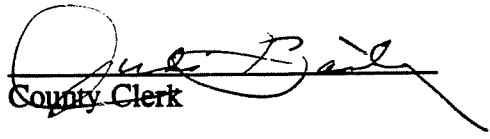
Those Absent:

NONE


Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:


County Clerk

This Ordinance shall be in force and effect from and after the 28TH day of November, 1997, i.e., the date of the second publication of such Ordinance by its title only.