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STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

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:  
Ordinance 1158

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:  
March 29, April 5, 2002

Signed *T. Ciccotti*

Subscribed and sworn to before me this  
APR 10 2002

*Susan V. Dummar*  
Notary Public

PROOF OF PUBLICATION

**NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 1158**

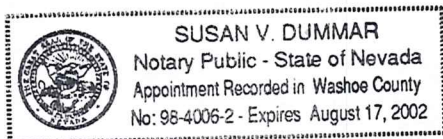
NOTICE IS HEREBY GIVEN THAT: Bill No.1334, Ordinance No. 1158 entitled

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

was adopted on March 26, 2002 by Commissioners Pete Sferazza, Joanne Bond, Jim Galloway, Jim Shaw and Ted Short. This ordinance shall be in full force and effect from and after April 5, 2002.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY,  
Washoe County Clerk  
No.1161 Mar.29, Apr.5, 2002



APR 17 2002

Summary - An ordinance creating Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive).

**BILL NO. 1334**  
**ORDINANCE NO. 1158**  
**(of Washoe County, Nevada)**

**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

**WHEREAS**, the Board of County Commissioners of the County of Washoe in the State of Nevada (the "Board," "County" and "State", respectively) deems it necessary to create Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) (the "District"), for the purpose of acquiring and constructing a street project (the "Project" or "Street Project"), and to defray the entire cost and expense of such improvements by special assessments, according to benefits, against the benefitted lots and premises in said District; and

**WHEREAS**, by a resolution passed and approved January 22, 2002 (the "provisional order resolution"), the Board declared its determination to create the District for the purpose of acquiring and constructing the Project, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

**WHEREAS**, pursuant to the provisional order resolution, the Board gave notice (in the manner specified by NRS § 271.305) of the filing of the preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, and of the time and place of hearing thereon; and

**WHEREAS**, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

**WHEREAS**, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, March 12, 2002, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof, and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

**WHEREAS**, all written and oral objections and protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and the inhabitants thereof to create the District as theretofore proposed; and

**WHEREAS**, the owners of lots, tracts or parcels of land in said District representing less than half of the area to be assessed of all lots, tracts or parcels of land in said District filed written or oral objections thereto; and

**WHEREAS**, every written protest and other objection was found to be without sufficient merit and was overruled by said Board by a resolution passed and approved on March 12, 2002 except as stated in such resolution; and

**WHEREAS**, any person filing a written complaint, protest or objection shall have the right, within 30 days after the Board has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

**WHEREAS**, the County Engineer as engineer (the "Engineer") for the District presented to the Commission and filed with the Clerk the following documents:

(A) Revised, if necessary, final plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material, and the approximate thickness and wideness;

(B) Revised, if necessary, the estimate of the total cost of the Project and of each type of construction, the estimate being made on a lump sum, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof; and

(C) A revised assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels" or "Preliminary Assessment Roll") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, the amounts of estimated preliminary assessments, the amount of maximum benefits estimated to be assessed against each tract or parcel of land in the District, the estimate being based in proportion to the special benefits derived based on a per lot basis provided that adjustments will be made for parcels fronting the improvements which will be assessed equally but at a rate higher than parcels not fronting the improvements (i.e., costs of improvements shall be apportioned to each such parcel in the proportion to the number of lots or parcels in the District), provided that an equitable adjustment will be made for assessments levied against any tract or parcel of land not specially benefitted so that the assessments according to the benefits are equal and uniform; and

**WHEREAS**, the Board has reviewed the documents submitted as aforesaid for the District;

and

**WHEREAS**, the Board and officers of said County have done all things necessary and preliminary to the creation of the District, and the said Board desires now to authorize such Project by this Ordinance.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) Creation Ordinance" (herein the "Ordinance").

Section 2. The Board has heretofore determined and does hereby determine:

A. That each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore has been by a resolution adopted and approved on March 12, 2002, overruled, and finally passed on by said Board except as otherwise provided in said resolution;

B. That the public convenience and necessity require creation of the District; and

C. That the creation of the District is economically sound and feasible.

Section 3. There shall be, and hereby is, created in the County an improvement district designated the "Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive)" (the "District") for the purpose of acquiring the Project as more particularly described below.

Section 4. The Project, which is hereby ordered to be constructed and acquired, shall be as shown on the final plans and specifications for the District filed with the County Clerk on March 26, 2002. The kind, character and location of the Project (without mentioning minor details) is as follows:

The Street Project is for the acquisition, construction and improvement of a street more particularly described as the importation of structural fill/aggregate base and grading for the construction of road subgrade, construction of 22 foot wide AC paving with 2 foot minimum gravel shoulders on both sides, and incidental roadside drainage ditches, culverts, flared end sections, rip-rap, signage and surveying. The final pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of aggregate base (or an equivalent section). The grading, paving, drainage, signing and survey monumentation are to be in accordance with the Standard Details and Specifications for Public Works Construction and to include all necessary excavations, filling, grading and appurtenances incidental thereto, and incidentals necessary, useful or desirable, including real and other property therefor. The Project is described in more detail on the Preliminary Plans and Specifications described herein. A substantial change in existing street elevation or grades will result from the Project. Except as shown in the preliminary plans, the character of the street improvements shall be as described in this paragraph.

Section 5. The Project described above is to be constructed and acquired by the County at an estimated cost of \$247,200, of which \$120,000 of such costs will be paid from other sources and the estimated balance totaling \$127,200 will be paid by the levy of special assessments against property in the District as described below.

Section 6. The amount to be assessed for the Project will be levied upon all tracts in the District, i.e., upon each piece, lot, tract or parcel in the District, in proportion to the special benefits derived based in proportion to the special benefits derived on a per lot basis provided that adjustments will be made for parcels fronting the improvements which will be assessed equally but

at a rate higher than parcels not fronting the improvements (i.e., costs of improvements shall be apportioned to each such parcel in the proportion to the number of lots or parcels in the District), provided that an equitable adjustment will be made for assessments levied against any tract or parcel of land not specially benefitted so that the assessments according to the benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat.

Section 7. The extent of the District, i.e., a description of the land comprising the District including the parcels to be assessed is: The boundaries consist of the street being improved, i.e., Spearhead Way from Indian Lane approximately 0.25 mile north to Running Bear Drive; Running Bear Drive from Spearhead Way approximately 0.25 mile east to Wigwam Way; and each of the parcels described by Assessor's Parcel Number ("APN") as follows:

**List of Parcels Included in District**

**Special Assessment District 31  
Parcels within Proposed District**

| NO. | APN      |    |          |
|-----|----------|----|----------|
|     |          | 19 | 55204019 |
|     |          | 20 | 55204020 |
| 1   | 55204001 | 21 | 55204021 |
| 2   | 55204002 | 22 | 55204022 |
| 3   | 55204003 | 23 | 55204023 |
| 4   | 55204004 | 24 | 55204024 |
| 5   | 55204005 | 25 | 55204025 |
| 6   | 55204006 | 26 | 55204026 |
| 7   | 55204007 | 27 | 55204027 |
| 8   | 55204008 | 28 | 55204029 |
| 9   | 55204009 | 29 | 55204030 |
| 10  | 55204010 | 30 | 55204031 |
| 11  | 55204011 | 31 | 55204032 |
| 12  | 55204012 | 32 | 55204033 |
| 13  | 55204013 | 33 | 55204034 |

|    |          |    |          |
|----|----------|----|----------|
| 14 | 55204014 | 34 | 55204035 |
| 15 | 55204015 | 35 | 55204044 |
| 16 | 55204016 | 36 | 55205008 |
| 17 | 55204017 | 37 | 55205013 |
| 18 | 55204018 | 38 | 55205017 |

Section 8. The District shall have one construction contract.

Section 9. The Engineer is hereby authorized on behalf of the County to advertise for the doing of the work and making the improvements on behalf of the County in accordance with NRS § 271.335 to the extent the improvements are not constructed pursuant to NRS § 271.340 or §271.345.

Section 10. After the award of the contract to the lowest bidder, or after the determination of the net cost to the County, the Board shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the Board shall provide that the assessments may be payable without interest or demand during a specific cash payment period, or at the election of the owner, or in twenty (20) substantially equal semi-annual installments which will include both principal and interest. The Board shall provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The Board shall also provide the rate of interest on unpaid installments of assessments which will not exceed 1% over the rate of interest on the assessment bonds for the District, if issued. The effective interest rate on the assessment bonds of the District will not exceed the then-effective statutory limit, if any, for interest on assessment bonds. Such limit currently states that the interest rate may not exceed by more than 3% the Index of Twenty Bonds which shall have been most recently published in The Bond Buyer before bids for the bonds are received, or before a negotiated offer for the sale of such bonds is accepted. If bonds are not issued the Board shall establish, by resolution, the rate of interest on unpaid installments of assessments not exceeding 14% per annum.

Section 11. All action, proceedings, matters and things heretofore taken, had and done by the County, and the officers thereof (not inconsistent with the provisions of this Ordinance), concerning the District, including, but not limited to, the performing of all prerequisites to the

creation of said District, the acquisition of the street improvements, the advertising and award of a construction contract therefor, and the levy of assessments against the specific benefitted property therein for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 12. The officers of the County be, and they hereby 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, construction contracts and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds and any interim warrants therefor.

Section 13. All ordinances or resolutions, 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 or resolution, or part thereof, heretofore repealed.

Section 14. 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) days before the date set for such hearing, i.e., at least ten (10) days before March 26, 2002, such publication to be in substantially in the following form:



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

Bill No. \_\_\_\_\_

Notice of Public Hearing Before

The Washoe County Board of County Commissioners

**NOTICE IS HEREBY GIVEN** that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, at 5:30 p.m., on Tuesday, March 26, 2002, 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 WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

An adequate summary of the Ordinance is as follows:

The preambles of the Ordinance recite that the Board of County Commissioners deems it necessary to create Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) for the purpose of acquiring street improvements; recite that the Board declared its determination to create the District by a resolution; recite that the Board fixed a time and place, i.e., Tuesday, March 12, 2002, for a hearing on the creation of the District and provided for the giving of mailed, posted and published notice of such hearing; recite that the requisite Notice was given and that such Notice was reasonably calculated to inform the parties of the proceedings concerning the District; recite that the hearing was held, that all written and oral objections were duly considered and were found without sufficient merit and were overruled by resolution adopted on March 12, 2002, except as provided therein; recite that the owners of tracts representing less than one-half of the lots to be assessed filed such written or oral objections; recite that any person filing a written protest has the right within thirty (30) days to commence an action in any Court of competent jurisdiction to set aside the Board's determination; and recite that the Board and the Officers of the County have done all things necessary and preliminary to the creation of the District.

The ordaining clause is then set forth.

Sections 1 and 2 provide that the Ordinance shall be designated "Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) Creation Ordinance," and recite that the complaints,

protests and objections made at the March 12, 2002 hearing have been overruled except as provided in a resolution adopted on March 12, 2002, and find that public convenience and necessity require creating of the District and that the creation of the District is economically sound and feasible.

Sections 3 and 4 create Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive), and describe the kind and location of the improvements.

Sections 5, 6, and 7 provide that an estimate of the total cost to be assessed is at an estimated cost of \$127,200; provide that all of such total cost shall be paid for by the levy of special assessments; provide that the assessments will be levied on a per lot basis provided that adjustments will be made for parcels fronting the improvements which will be assessed equally but at a rate higher than parcels not fronting the improvements (i.e., costs of improvements shall be apportioned to each such parcel in the proportion to the number of lots or parcels in the District), provided that an equitable adjustment will be made for assessments levied against any tract or parcel of land not specially benefitted so that the assessments according to the benefits are equal and uniform; and describe the extent of the District, including the area to be assessed.

Section 8 provides that the District shall have one construction contract.

Sections 9 and 10 provide that the County Engineer is authorized to advertise for the construction contract; that the Board shall levy the assessments, which may be payable without interest or demand during a cash-payment period to then be specified, or in twenty (20) substantially equal semi-annual installments of principal and interest, that interest shall be at a rate which will not exceed the lesser of 1% over the interest rate on assessment bonds issued for the District. The interest rate on assessment bonds will not exceed the lesser of 14% per annum or the then-effective statutory maximum interest rate.

Sections 11, 12 and 13 ratify, approve and confirm all consistent prior action taken in connection with Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) and the levying of special assessments against the property in the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions.

Section 14, 15 and 16 provide for notice by publication of the Ordinance and that the Ordinance shall be in effect from and after its publication for two weeks following its final adoption.

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:** March 12, 2002.

/s/ Amy Harvey  
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. \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_  
(of Washoe County, Nevada)

**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

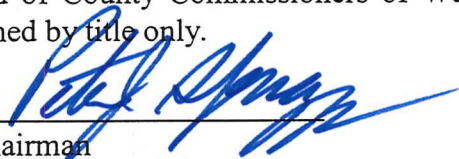
**PUBLIC NOTICE IS HEREBY GIVEN** that typewritten copies of the above-numbered and entitled Ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said Ordinance was proposed by Commissioner \_\_\_\_\_ on March 12, 2002, 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 March 26, 2002, by the following vote of the Board of County Commissioners:

|                   |                |
|-------------------|----------------|
| Those Voting Aye: | Joanne Bond    |
|                   | Jim Galloway   |
|                   | Pete Sferrazza |
|                   | Jim Shaw       |
|                   | Ted Short      |
| Those Voting Nay: | _____          |
|                   | _____          |
| Those Absent:     | _____          |
|                   | _____          |

This Ordinance shall be in full force and effect from and after April \_\_, 2002, i.e., the date of the second publication of such Ordinance by its title only.

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

**DATED:** \_\_\_\_\_, 2002.

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

(SEAL)  
Attest:

/s/ Amy Harvey  
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 12th day of March, 2002.

Proposed by Commissioner BOND.

Passed the 26<sup>th</sup> day of March, 2002.

Those Voting Aye:

Joanne Bond  
Jim Galloway  
Pete Sferrazza  
Jim Shaw  
Ted Short

Those Voting Nay:

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

Those Absent:

*Pete Sferrazza*  
Chairman  
Board of County Commissioners  
Washoe County, Nevada



(SEAL)

Attest:

*Imey Harvey*  
County Clerk

This Ordinance shall be in force and effect from and after the 3<sup>rd</sup> day of April 2002, i.e., the date of the second publication of such Ordinance by its title only.

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

I, Amy Harvey, am the duly chosen and qualified Clerk of Washoe County, and in the performance of my duties as Clerk do hereby certify:

1. The foregoing pages are a full and correct copy of a resolution adopted by the Board of County Commissioners of the County (the "Board") on March 12, 2002, and an Ordinance introduced and read by title on March 12, 2002 and adopted on March 26, 2002 which relate to Special Assessment District No. 31. Minutes of the hearing on such District held on March 12, 2002 and of the hearing on the Ordinance held on March 26, 2002 are attached as Exhibits A and B, respectively. Except as recited in this paragraph, no actions were taken concerning such District at such meetings. Such copies of such resolution and ordinance are true, correct, compared copy of the original proposed and adopted at such meetings.

2. All members of the Board were given due and proper notice of such meetings, and the members of the Board voted on such resolution as follows:

|                   |  |
|-------------------|--|
| Those Voting Aye: | Joanne Bond<br>Jim Galloway<br>Pete Sferrazza<br>Jim Shaw<br>Ted Short |
| Those Voting Nay: | _____<br>_____   |
| Those Absent:     | _____<br>_____   |

and on such ordinance as set forth in the ordinance.

3. Public notice of such meetings was given and such meetings were held and conducted in full compliance with the provisions of NRS § 241.020. Pursuant to NRS § 241.020, written notice of such meeting was given by 9:00 a.m. at least three working days before the meetings:

- (a) By mailing a copy of the notice to each member of the Board,
- (b) By posting a copy of the notice at the principal office of the Board, or if there is no principal office, at the building in which the meeting was

heid, and at least three other separate, prominent places within the jurisdiction of the Board, to wit:

- 1. Washoe County Administration Complex  
1001 East Ninth Street  
Reno, Nevada
- 2. Washoe County Courthouse  
Virginia and Court Streets  
Reno, Nevada
- 3. Washoe County Library  
301 South Center Street  
Reno, Nevada
- 4. Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

(c) By mailing a copy of the notice to each person, if any, who had requested notice of the meetings of the Board in the same manner in which notice is required to be mailed to a member of the Board.

5. A copy of the notices so given is attached to this certificate as Exhibit C and D.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of Washoe County, Nevada, this March 26, 2002.

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

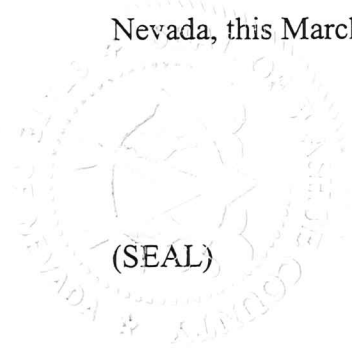


EXHIBIT A

(Attach Copy of Minutes of March 12, 2002 Hearing on District No. 31)



## BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MARCH 12, 2002

PRESENT:

Pete Sferrazza, Chairman  
Joanne Bond, Vice Chairman  
Jim Galloway, Commissioner  
Jim Shaw, Commissioner  
Ted Short, Commissioner

Amy Harvev, County Clerk  
Katy Singlaub, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-226      AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the agenda for the March 12, 2002, meeting be approved with the following amendments: Items 8H, budget appropriation reductions, and 8O2, initiating resolution for Special Assessment District No. 29 (Mt. Rose Sewer, Phase I), are being removed from the consent agenda for discussion. Items 13, award of bid #2328-02 for four new 63,000# GVWR transfer trucks, 15, establishment of three new positions in Senior Services, 16, new positions for the District Attorney's office for the child welfare integration with the State, and 18, changes in foster care rate structure, are being added to the consent agenda.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his views concerning the budget shortfalls being experienced by the local governmental entities stating that he wants to see the Truckee Meadows High School stay in existence and criticized the Reno-Sparks Convention and Visitor's Authority plans.

Gary Schmidt, Washoe County resident, discussed the County's policies concerning obtaining copies of public records and the charges assessed for same.

Leon Mills, Tom Judy and Neil Upchurch, area residents, all spoke in support of the amendment.

There being no one else wishing to speak, Chairman Sferrazza closed the public hearing.

Commissioner Short thanked everyone for all of their hard work on this project.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1151, Bill No. 1327, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 212 - SOUTHEAST TRUCKEE MEADOWS AREA PLAN REGULATIONS INCORPORATING THE HIDDEN VALLEY MODIFIERS, (A MAP IS INCORPORATED INTO THE MODIFIERS) RESTRICTING COMMERCIAL AND INDUSTRIAL USES, ADDING DEVELOPMENT STANDARDS REGARDING GRADING, CUT SLOPE STABILIZATION AND REVEGETATION, BUFFERS, SIDEWALKS, STREET LIGHTING, BUILDING HEIGHT, SETBACKS AND REFLECTIVE BUILDING MATERIALS WITHIN THE AREA DEFINED AS HIDDEN VALLEY, EXEMPTING GENERAL RURAL (GR) LAND USE DESIGNATED PARCELS FROM THE DEVELOPMENT STANDARDS OF THE MODIFIERS, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

02-279      RESOLUTION - DISPOSING OF PROTESTS - SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE)

5:30 p.m.      This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 15, 22 and March 1, 2002, to consider testimony in support of or opposition to formation of Special Assessment District No. 31. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak on this matter.

Dave Roundtree, Public Works Director, stated that the purpose of the public hearing is to gather testimony in favor of, or opposition to, the proposed Special Assessment District (SAD). The SAD is intended to improve Running Bear Drive and Spearhead Way in the Golden Valley area. The project will be partially funded by Alturas Mitigation Funds in the amount of \$120,000.

Chairman Sferrazza read statements from Ron Johnson, 9465 Tomahawk, Charles & Susan Lowther, 9494 Spearhead Way, and Stan & Carole Smith, 3435 Running Bear Lane, who are in favor of the project.

Ed Griffith, 9430 Arrowhead Way, said he is very glad to see the project is progressing as it has been a long time coming. He said the Alturas Mitigation Funds make the project affordable, and if it were not for that money the SAD would be too high and the people would not be interested. He said he was on the committee regarding the Alturas Mitigation Funds; he surveyed everyone in the area regarding this project; and, out of approximately 38 property owners, only 5 or 6 opposed the project.

Dr. Shayne Weir, area resident, said that he and his wife own the property at 3420 Running Bear Lane. He said his deed describes the road in front of their home as part of their property. They have given an easement to the County for ingress and egress over that road, but that easement in no way diminishes their ownership. He said he and his wife are opposed to the project because it represents a seizure of private property without compensation. He said he could support the paving of the road if the property were acquired legally, and did not include an assessment against him and his wife.

Mr. Roundtree said that Dr. Weir is correct that the County needs to acquire the right-of-way. In order for the County to pursue the project, it is necessary to get authorization from the property owners. If a particular property owner is reluctant or unwilling to grant the right-of-way to the County, the recourse is to pursue eminent domain and appraise the property and offer just compensation. Staff's opinion is that the property has very little value as it is already an existing roadway, and there are existing access easements over it. If the County had to compensate for the acquisition of the right-of-way the dollar value would be very low.

Chairman Sferrazza asked if this was a recorded map. Mr. Roundtree stated that he believes all of these parcels were created by deed documents, as opposed to a subdivision or a parcel map. The easements for access were granted within the deeds. Mr. Roundtree said, if the Board determined they want to move forward with this project, the next step would be to acquire the right to access the property for public access purposes.

Madelyn Shipman, Legal Counsel, advised that typical easements are for public access and they can run between the property owners that are served by those parcels. Mr. Roundtree stated another thing that suggests these really are public streets, is they are open to the public and have been used by the public for many years.

Commissioner Galloway suggested that staff pursue some course of action to establish the County's right to make this a general public County road easement. Mr. Roundtree stated that the County cannot proceed with the SAD until the right-of-way has been acquired.

Commissioner Shaw asked if SAD costs would go up if the properties have to be purchased. Mr. Roundtree said yes that would be an added cost and the assessments across the Board would be increased.

Ms. Shipman advised of the legal process that the County would have to pursue in order to acquire the right-of-ways. She said the condemnation costs would become part of the SAD costs.

Mr. Griffith discussed the streets that would benefit from the roads being paved. He said if the costs are increased too much, the property owners probably would not be so supportive of the project.

Mr. Roundtree advised that there were 3 letters of protests, including Dr. Weir's, opposing the project.

There being no one else wishing to speak on this matter, Chairman Sferazza closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution disposing of protests made against Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION NO. 02-279

A RESOLUTION DISPOSING OF THE PROTESTS  
MADE AT THE HEARING ON THE PROVISIONAL  
ORDER FOR WASHOE COUNTY, NEVADA,  
SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEAR-  
HEAD WAY-RUNNING BEAR DRIVE); DIRECTING  
THAT THE ENGINEER PREPARE AND FILE A  
REVISED AND DETAILED ESTIMATE OF COST,  
FULL AND DETAILED FINAL PLANS AND  
SPECIFICATIONS, AND A REVISED MAP AND  
ASSESSMENT PLAT; AND PROVIDING THE  
EFFECTIVE DATE HEREOF

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution adopted January 22, 2002 (the "provisional order resolution"), provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) (herein the "District"); and

WHEREAS, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, March 12, 2002, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the total percentage of those owners filing written or oral objections for the entire District amounted to less than one-half of the total lots to be assessed; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:**

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing less than 50% of the area to be assessed) is without sufficient merit, and that the same is overruled and finally passed on by said Board except the District is modified as described in Section 2.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that the following are deleted from the District:

(none)

Section 3. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 4. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

- (A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;
- (B) Full and detailed final plans and specifications; and
- (C) A revised (to the extent necessary) map and revised assessment plat.

Section 5. The officers of the County are directed to effectuate the provisions of this resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 7. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 8. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

02-280      BILL NO. 1334 – CREATING WASHOE COUNTY, NEVADA,  
SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-  
RUNNING BEAR DRIVE)

Bill No. 1334 entitled, "AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO," was introduced by Commissioner Bond, the title read to the Board, and legal notice for final action of adoption directed.

02-281      BILL NO. 1328 – ORDINANCE NO. 1152 – AMENDING WASHOE  
COUNTY CODE CHAPTER 110, ARTICLE 502 – OFF PREMISE  
SIGNS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1328. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1152, Bill No. 1328, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO

EXHIBIT B

(Attach Minutes of March 26, 2002 Hearing on Ordinance)

## BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MARCH 26, 2002

PRESENT:

Pete Sferrazza, Chairman  
Joanne Bond, Vice Chairman  
Jim Galloway, Commissioner  
Jim Shaw, Commissioner  
Ted Short, Commissioner

Amy Harvey, County Clerk  
Katy Singlaub, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-324      AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the agenda for the March 26, 2002, meeting be approved. It was noted that there was a properly noticed addendum to the agenda for Item 21, the Regional Plan Update.

PUBLIC COMMENTS

Coe Swobe, Washoe County Courthouse Historical Preservation Society, presented a drawing of proposed development on the Riverside site, which would have an adverse Effect on the Washoe County Courthouse. He stated the plans call for a 24-foot wide access road across the Courthouse lawn for the restaurant delivery trucks and for garbage trucks to service the dumpster; and the proposal also calls for a grease vat to be located next to the garbage dumpster, which would be very close to the air in-take for the Courthouse. Mr. Swobe stated he does not know whether the City of Reno has approached the County yet, and the Historical Society wants to be sure the Board is aware of this proposal.

Gary Schmidt, Washoe County resident, discussed the charges assessed by County offices for providing copies of documents and the proposed changes in fees. He also discussed access to public records.



02-353

ORDINANCE NO. 1157 - BILL NO. 1333 - AMENDING WCC  
CHAPTER 20 - ADDITIONAL COURT FILING FEES

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 15, 2002, to consider second reading and adoption of Bill No. 1333. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Upon inquiry of Chairman Sferrazza, a representative of Washoe Legal Services advised they are working with each of the courts to post a sign relative to the fee increases at each County, City of Reno, and City of Sparks Court.

Commissioner Galloway said he opposes the ordinance, not because it is not a worthy cause, but because the situation calling for a fee increase is due to a general social problem, and this ordinance taxes a small group of people who have the misfortune of being in court about something unrelated.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Commissioner Galloway voting "no," Chairman Sferrazza ordered that Ordinance No. 1157, Bill No. 1333, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY IMPOSING AN ADDITIONAL FILING FEE OF FIVE DOLLARS FOR THE COMMENCEMENT OF ANY CIVIL LEGAL ACTION OR PROCEEDING IN DISTRICT COURT, ANY ACTION FOR WHICH A FEE IS REQUIRED IN JUSTICE COURT, AND FOR THE FILING OF ANY ANSWER OR APPEARANCE IN EITHER COURT FOR ANY ACTION OR PROCEEDING FOR WHICH A FILING FEE IS REQUIRED; IMPOSING AN ADDITIONAL FILING FEE OF TWENTY-FIVE DOLLARS FOR THE FILING OF ANY MOTION OR OTHER PAPER THAT SEEKS TO MODIFY OR ADJUST A FINAL ORDER ISSUED PURSUANT TO NRS CHAPTERS 125, 125B OR 125C AS WELL AS ANY ANSWER OR RESPONSE THERETO EXCEPT FOR MOTIONS FILED SOLELY TO ADJUST CHILD SUPPORT, MOTIONS FILED FOR RECONSIDERATION OR MOTIONS FOR A NEW TRIAL FILED WITHIN 10 DAYS AFTER A FINAL JUDGMENT OR DECREE HAS BEEN ISSUED; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

02-354

ORDINANCE NO. 1158 - BILL NO. 1334 - CREATING SPECIAL  
ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING  
BEAR DRIVE)

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 15, 2002, to consider second reading and adoption of Bill No. 1334. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Chairman Sferrazza said the Board recently requested that, if condemnation or compensation is required for the taking of a right-of-way, the adjacent property would be charged if possible. David Roundtree, Public Works Director, advised that Bond Counsel indicated that is a possibility, but it would require adoption of a new provisional order. He recommended the County proceed forward and determine if the right-of-way might be acquired without cost. He said, if staff finds that substantial sums would have to be paid for the right-of-way, a modified provisional order would be brought to the Board to allow the property to be assessed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1158, Bill No. 1334, entitled, "AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

02-355

**COMPREHENSIVE PLAN AMENDMENT – CASE NUMBER  
CP-01-009 (CASTLES, LLC) - COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set for continuance of public hearing from the March 12, 2002 meeting (Item No. 02-275) published in the Reno Gazette-Journal on March 15, 2002 and mailed to property owners in the vicinity of the subject by the Department of Community Development on March 14, 2002 to consider a request to amend the Spanish Springs Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would redesignate Assessor's Parcel Number 089-152-03 from the land use category of General Rural (GR) to General Commercial (GC). The net change in development potential would eliminate one (1) single-family residence and permit commercial development. The parcel considered for the land use change totals .97+/- acres, and is located at the northwest corner of Pyramid Highway and Eagle Canyon Drive. The parcel is found within the Spanish Springs Hydrographic Basin, of Section 35, T21N, R20E, MDB&M. The parcel considered for the land use change is designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram, so a Regional Plan amendment should not be required.

The Board of County Commissioners may take action on alternatives to the applicant's request, including changes to lower, or higher, residential densities. Administrative changes to the area plan are necessary to reflect the changes requested within this application, including new text or policy, a revised Public Services and Facilities Map, and a revised table of land use.

EXHIBIT C

(Attach Copy of Notice of March 12, 2002 Meeting)

COUNTY COMMISSIONERS

Pete Sferrazza, Chairman  
 Anne Bond, Vice-Chairman  
 Galloway  
 Shaw  
 Ted Short

COUNTY MANAGER

Katy Singlaub

ASSISTANT  
DISTRICT ATTORNEY

Madelyn Shipman

## AGENDA

## WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

March 12, 2002

**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 the Consent Agenda at the beginning of the Board Meeting.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

An Agenda CAUCUS Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A, 2<sup>nd</sup> Floor, Reno) on MONDAY, March 11, 2002, at 1:30 p.m., in order to review agenda items for the regular meeting of the Washoe County Board of Commissioners as described below. Said review, if requested by the Commission, is limited to a brief staff presentation of issue and may include review of background information and questions to be answered at the regular meeting.

Public Comment: Limited to three minutes per person and limited to matters other than the agenda items that will be heard at the Commission Meeting. Persons are invited to submit comments in writing on agenda items and/or attend and make comment on that item at the Commission Meeting.

AT THE CAUCUS MEETING (March 11, 2002), the following workshops will be held:

- 1) Annual Jail Statistic Review and Jail Population Management Update (presented by David Bennett).
- 2) Discussion regarding evaluation of contract with City of Reno for fire protection services, including, but not limited to, retaining an outside consultant; discussion of recent correspondence received regarding performance of fire service; and, possible direction to staff on same (requested by Commissioner Short).  
*Note:* For this item, the Board will convene as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9<sup>th</sup> Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting, after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, the Governing Board for Financial Matters of the Regional Hazardous Materials Response Team and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

- 5:30 p.m. 24. D. Timberline Drive and Mt. Rose Highway. The parcel is situated in Section 34, T18N, R19E, MDM, Washoe County, Nevada, and is within the boundaries of the Galena/Steamboat Citizens Advisory Board and Washoe County Commissioner District No. 2 (APN: 49-070-45). (Continued from February 12, 2002 meeting.)
- E. Special Assessment District No. 31 (Spearhead Way-Running Bear Drive).

Gather testimony in support of or opposition to formation of Special Assessment District No. 31. (After Public Hearing is closed, Agenda Item No. 25 should be acted on.)

END OF SCHEDULED PUBLIC HEARINGS

25. Special Assessment District No. 31 (Spearhead Way-Running Bear Drive)-- to be heard immediately following Agenda Item No. 24E.

Execution of a Resolution disposing of the protests made at the hearing on the provisional order for Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive); directing that the Engineer prepare and file a revised and detailed estimate of cost, full and detailed final plans and specifications, and a revised map and assessment plat; and providing the effective date hereof.

AND

First reading of an Ordinance creating Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive); ordering a street project within Washoe County, Nevada; providing for the levy and collection of special assessments therefor; and prescribing other matters relating thereto.

26. Emergency Items.

EXHIBIT D

(Attach Copy of Notice of March 26, 2002 Meeting)

COUNTY COMMISSIONERS

Pete Sferrazza, Chairman  
 e Bond, Vice-Chairman  
 Jalloway  
 Jim Shaw  
 Ted Short

COUNTY MANAGER

Katy Singlaub

ASSISTANT  
DISTRICT ATTORNEY

Madelyn Shipman

## AGENDA

## WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

March 26, 2002

**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 the Consent Agenda at the beginning of the Board Meeting.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

*The Washoe County Commission will be holding a Workshop at Washoe County's Department of Water Resources (located at 4930 Energy Way, Reno) on Monday, March 25, 2002 at 11 a.m. The purpose of the Workshop is to receive information on the functions, activities and challenges of the Water Resources Department. (Public Comment will be called for at the Workshop.)*

An Agenda CAUCUS Meeting will be held in the Commission Caucus Room (1001 E. 9th St., Bldg. A, 2<sup>nd</sup> Floor, Reno) on MONDAY, March 25, 2002, at 1:30 p.m., in order to review agenda items for the regular meeting of the Washoe County Board of Commissioners as described below. Said review, if requested by the Commission, is limited to a brief staff presentation of issue and may include review of background information and questions to be answered at the regular meeting.

Public Comment: Limited to three minutes per person and limited to matters other than the agenda items that will be heard at the Commission Meeting. Persons are invited to submit comments in writing on agenda items and/or attend and make comment on that item at the Commission Meeting.

AT THE CAUCUS MEETING (March 25, 2002), the following *workshop* will be held:

Status report on Washoe County's efforts to implement an integrated financial system (John Sherman, Finance Director and Matt Beckstedt, Information Technology Director).

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9<sup>th</sup> Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting, after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, the Governing Board for Financial Matters of the Regional Hazardous Materials Response Team and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

- 15. Discussion and possible appointment of two additional alternates to the Regional Planning Commission and prioritization of alternates (requested by Commissioner Galloway).
- 16. Recommendation that the Board review the draft City of Reno Annexation Plan for 2002/2008 and provide any comments the Board deems appropriate (Community Development).
- 17. Proposed \$60,000,000 City of Reno General Obligation (Limited Tax) Park, Recreational and Building Bonds--City of Reno (continued from March 12, 2002 meeting).

Recommendation from the City of Reno that the Commission execute a Resolution approving the City's proposal to issue General Obligations and the submission of the proposal to the Washoe County Debt Management Commission and the qualified electors of the City; concerning action taken thereon and approving certain details in connection therewith.

OR

Execute a Resolution *objecting* to the City's proposal to issue General Obligations and the submission of the proposal to the Washoe County Debt Management Commission and the qualified electors of the City; concerning action taken thereon and approving certain details in connection therewith.

- 18. Discussion and direction to staff regarding consolidation of selected services-- Manager's Office.

5:30 p.m.

- 19. Public Hearings. (Note: Items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on items in this category can vary.)

A. Second Readings and Adoptions of Ordinances.

- (1) Amending the Washoe County code by imposing an additional filing fee of five dollars for the commencement of any civil legal action or proceeding in District Court, any action for which a fee is required in Justice Court, and for the filing of any answer or appearance in either court for any action or proceeding for which a filing fee is required; imposing an additional filing fee of twenty-five dollars for the filing of any motion or other paper that seeks to modify or adjust a final order issued pursuant to NRS Chapters 125, 125b or 125c as well as any answer or response thereto except for motions filed solely to adjust child support, motions filed for reconsideration or motions for a new trial filed within 10 days after a final judgment or decree has been issued; and providing other matters properly relating thereto. (Bill No. 1333)



5:30 p.m. 19. A. (2) Creating Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive); ordering a street project within Washoe County, Nevada; providing for the levy and collection of special assessments therefor; and prescribing other matters relating thereto. (Bill No. 1334)

B. Comprehensive Plan Case Number CP01-009 (Castles, LLC)--Community Development (continued from March 12, 2002 meeting).

To consider a request to amend the Spanish Springs Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate Assessor's Parcel Number 089-152-03 from the land use category of General Rural (GR) to General Commercial (GC). The net change in development potential would eliminate one (1) single-family residence and permit commercial development. The parcel considered for the land use change totals .97+/- acres, and is located at the northwest corner of Pyramid Highway and Eagle Canyon Drive. The parcel is found within the Spanish Springs Hydrographic Basin, of Section 35, T21N, R20E, MDB&M. The parcel considered for the land use change is designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram, so a Regional Plan amendment should not be required.

The Board of County Commissioners may take action on alternatives to the applicant's request, including changes to lower, or higher, residential densities. Administrative changes to the area plan are necessary to reflect the changes requested within this application, including new text or policy, a revised Public Services and Facilities Map, and a revised table of land use.

**END OF SCHEDULED PUBLIC HEARINGS**

20. Emergency Items.

EXHIBIT E

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

RENO NEWSPAPERS INC

Publishers of

RENO GAZETTE-JOURNAL

955 Kuenzli St. P.O.Box 22000 RENO, NV 89520 PHONE: (775) 788-6200  
Legal Advertising Office (775) 788-6394

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PO# /ID# 988  
Legal Ad Cost \$34.39

- . Washoe County
- . Comptrollers Office
- . PO Box 11130
- . Reno, NV 89510

STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

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:

Bill 1334

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:  
March 15, 2002

Signed Tana Ciccotti

Subscribed and sworn to before me this  
MAR 19 2002

Susan V. Dummar

Notary Public

PROOF OF PUBLICATION

NOTICE OF PUBLIC  
HEARING  
BILL NO. 1334

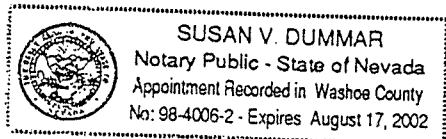
NOTICE IS HEREBY GIVEN  
that the Washoe County Board  
of Commissioners will hold a  
public hearing in the Commis-  
sion Chambers of the Washoe  
County Administration Com-  
plex, 1001 East Ninth Street,  
Reno, Nevada, on Tuesday,  
March 26, 2002, at 5:30 p.m.  
to consider the adoption of  
Bill No. 1334 entitled as fol-  
lows:

AN ORDINANCE CREATING  
WASHOE COUNTY, NEVADA,  
SPECIAL ASSESSMENT DIS-  
TRICT NO. 31 (SPEARHEAD  
WAY-RUNNING BEAR DRIVE);  
ORDERING A STREET PROJ-  
ECT WITHIN WASHOE  
COUNTY, NEVADA; PROVID-  
ING FOR THE LEVY AND COL-  
LECTION OF SPECIAL ASSES-  
MENTS THEREFOR; AND PRE-  
SCRIBING OTHER MATTERS  
RELATING THERETO.

Anyone wishing to protest or  
affirm may do so by appearing  
at the above-named time and  
place.

AMY HARVEY,  
Washoe County Clerk  
No.988 Mar.15, 2002

02-354



MAR 27 2002

EXHIBIT F

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

RENO NEWSPAPERS INC

Publishers of

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955 Kuenzli St. P.O.Box 22000 RENO, NV 89520 PHONE: (775) 788-6200  
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- . Washoe County
- . Comptrollers Office
- . PO Box 11130
- . Reno, NV 89520

STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

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:

Ordinance 1158

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:

March 29, April 5, 2002

Signed *Tana Ciccotti*

Subscribed and sworn to before me this  
APR 10 2002

*Susan V. Dummar*

Notary Public

PROOF OF PUBLICATION

NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 1158

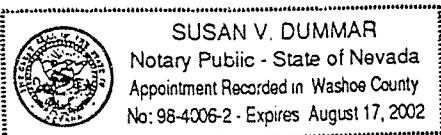
NOTICE IS HEREBY GIVEN  
THAT: Bill No.1334, Ordinance-  
No. 1158 entitled

AN ORDINANCE CREATING  
WASHOE COUNTY, NEVADA,  
SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD  
WAY-RUNNING BEAR DRIVE);  
ORDERING A STREET PROJECT WITHIN WASHOE  
COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

was adopted on March 26, 2002 by Commissioners Peta Sferrazza, Joanne Bond, Jim Galloway, Jim Shaw and Ted Short. This ordinance shall be in full force and effect from and after April 5, 2002.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY,  
Washoe County Clerk  
No.1161 Mar.29, Apr.5, 2002



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