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STATE OF NEVADA
COUNTY OF WASHOE

ss Sue Dummar

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 1340

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

June 14, 21, 2002

Signed *Sue Dummar*

Subscribed and sworn to before me this
JUN 24 2002

Tana Ciccotti

Notary Public



PROOF OF PUBLICATION

NOTICE OF ADOPTION
BILL NO. 1340
ORDINANCE NO. 1164

AN ORDINANCE AMENDING
ORDINANCE NO. 1000 CREAT-
ING THE WASHOE COUNTY,
NEVADA DISTRICT NO. 24
(GROUNDWATER REMEDIA-
TION) IN ORDER TO CHANGE
THE BOUNDARIES OF THE
DISTRICT; RATIFYING,
APPROVING AND CONFIRM-
ING ALL ACTION PREVI-
OUSLY TAKEN DIRECTED
THERE TO; AND PROVIDING
THE EFFECTIVE DATE
HEREOF.

PUBLIC NOTICE IS HEREBY
GIVEN that typewritten copies
of the above numbered and
entitled Ordinance are avail-
able for inspection by the inter-
ested parties at the office of
the County Clerk of Washoe
County, Nevada, at her office
at the County Courthouse, Vir-
ginia and Court Streets, Reno,
Nevada; and that said Ordina-
nce was proposed by Com-
missioner Shaw on May 14,
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 June
11, 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: -0-
Those Absent: -0-

This Ordinance shall be in full
force and effect from and after
June 21, 2002, i.e., the date of
the second publication of such
Ordinance by its title only.

IN WITNESS WHEREOF, the
Board of County Commission-
ers of Washoe County,
Nevada, has caused this Ordina-
nce to be published by title
only.

DATED this June 11, 2002.
/s/ Pete Sferrazza, Chairman
Board of County Commission-
ers, Washoe County, Nevada
Attest:
/s/ Amy Harvey, County Clerk
No. 2258 June 14, 21, 2002

JUL 03 2002

Boundary Amendment Ordinance

Summary - An ordinance amending the ordinance creating the Washoe County, Nevada District No. 24 (Groundwater Remediation); and providing other matters related thereto.

BILL NO. 1340

ORDINANCE NO. 1164

AMENDING ORDINANCE NO. 1000

AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

1. **WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada has, pursuant to Ordinance No. 1000 (the "Creation Ordinance"), adopted and approved on November 14, 1997, created a district (the "District" or "District No. 24") for the remediation of the quality of water (specifically in order to address contamination of ground water by perchloroethylene ("PCE")) pursuant to NRS § 540A.250 through 540A.280 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

2. **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

3. **WHEREAS**, in the Creation Ordinance, the Board determined that the condition which requires remediation affects the quality of drinking water within the region; and

4. **WHEREAS**, the boundaries of the District described in the Creation Ordinance (the "Original Boundaries") included the wholesale and retail water service area of Sierra Pacific Power Company ("Sierra"); and

5. **WHEREAS**, Sierra's water business was acquired by the Truckee Meadows Water Authority ("TMWA") during 2001; and

6. **WHEREAS**, Sierra was, and TMWA is, 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 (i.e., presence of PCE in the groundwater at unacceptable levels) that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

7. **WHEREAS**, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra/TMWA included in the boundaries of the district for the fee collected in a particular calendar year should include properties which were actually served with water provided by Sierra or TMWA on a retail or wholesale basis during the prior calendar year; and

8. **WHEREAS**, the Original Boundaries have been heretofore amended; and

9. **WHEREAS**, the Board has determined and hereby determines to amend the Original Boundaries of the District with respect to the fee collected in 2002, to add to and include in such Original Boundaries new properties added to the wholesale and retail water service area of Sierra or TMWA between December 31, 1997 and December 31, 2001; and

10. **WHEREAS**, the Board has determined and hereby determines to amend the Original Boundaries of the District with respect to the fee collected in 2002 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by Sierra or TMWA during calendar year 2001; and

11. **WHEREAS**, each of the following have been filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described:

(i) a description of the areas to be so added to the District as described in the 9th preamble hereto, entitled "2002 Description of Areas to Be Added to District No. 24" (the "2002 Addition List"), and

(ii) a list of the properties proposed to be so excluded with respect to the fee imposed in 2002 as described in the 10th preamble hereto, entitled "First List of Properties to Be Excluded from the 2002 Boundaries of District No. 24" (the "First 2002 Exclusion List"); and

12. **WHEREAS**, pursuant to NRS § 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

13. **WHEREAS**, after published notice in accord with NRS § 540A.262, the Board on May 14, 2002 held a hearing on the amendment proposed to be made by this ordinance and hereby determines to overrule each and every objection to such amendment made at the hearing; and

14. **WHEREAS**, the Board has determined and the Board hereby determines to now amend the boundaries of the District.

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

Section 1. Section 2 of Ordinance No. 1000 is hereby amended to read as follows:

"Section 2. A. The boundaries of the District with respect to the fee for remediation imposed in 1998 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 prior to September 16, 1997, but excluding therefrom (a) the properties listed on the "List of Properties Excluded from District 24 Boundaries" as filed with the County Clerk on June 16, 1998; (b) the properties listed on the Second 1998 Exclusion List, as filed with the County Clerk on April 21, 1999; and (c) the properties listed on the Second Exclusion List as filed with the Clerk on April 24, 2001.

B. The boundaries of the District with respect to the fee for remediation imposed in 1999 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 prior to September 16, 1997 and further including in the District

boundaries all properties in the area described in the 1999 Addition List as filed with the County Clerk on April 21, 1999, but excluding from the District Boundaries the properties listed on the First 1999 Exclusion List as filed with the County Clerk on April 21, 1999 and as supplemented with the Supplemental 1999 List of Additional Excluded Parcels filed with the County Clerk on June 8, 1999 and as supplemented by the Second 1999 Exclusion List filed with the Clerk on May 4, 2000, and by the Second Exclusion List filed with the Clerk on April 24, 2001;

C. The boundaries of the District with respect to the fee for remediation imposed in 2000 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 prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2000 Addition List as filed with the County Clerk on May 2, 2000, but excluding from the District Boundaries the properties listed on the First 2000 Exclusion List as filed with the County Clerk on May 2, 2000, and the Second Exclusion List filed with the County Clerk on April 24, 2001;

D. The boundaries of the District with respect to the fee for remediation imposed in 2001 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 prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2001 Addition List as filed with the County Clerk on April 24, 2001, but excluding from the District Boundaries the properties listed on the First 2001 Exclusion List as filed with the County Clerk on April 24, 2001."

E. The boundaries of the District with respect to the fee for remediation imposed in 2002 are the wholesale and retail water service area of Sierra Pacific Power Company (of the Truckee Meadows Water Authority, after the acquisition of Sierra Pacific Power Company's water business by the Truckee Meadows Water

Authority), as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2002 Addition List as filed with the County Clerk on April 23, 2002, but excluding from the District Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 23, 2002."

Section 2. 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 3. 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 4. 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 5. 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 the 11th day of June, 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, the 11th day of June, 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 AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; 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 has created 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.

Section 1 amends the boundaries of the District with respect to the fee collected in 2002.

Sections 3, 4 and 5 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 6, 7 and 8 provide for notice by publication of the June 11, 2002 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 June 11, 2002; 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 this May 14, 2002.

/s/ Amy Harvey
County Clerk

(SEAL)

(End of Form for Publication)

Section 5. 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. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 1000
CREATING THE WASHOE COUNTY, NEVADA DISTRICT
NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO
CHANGE THE BOUNDARIES OF THE DISTRICT;
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 May 14, 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 June 11, 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 June ___, 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 this June 11, 2002.

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

(SEAL)

Attest:

/s/ Amy Harvey
County Clerk

Section 6. 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 14th day of May, 2002.
Proposed by Commissioner SHAW.
Passed the 11th day of June, 2002.

Those Voting Aye:

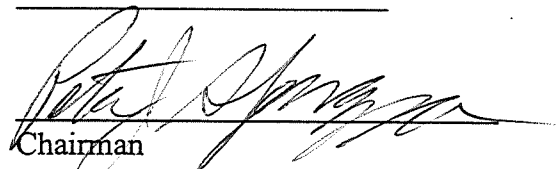
Joanne Bond
Jim Galloway
Pete Sferrazza
Jim Shaw
Ted Short

Those Voting Nay:

Ø

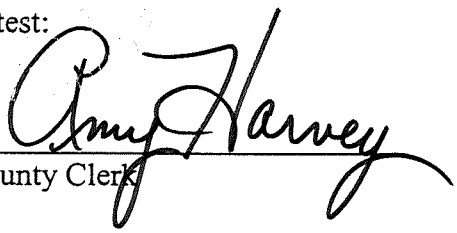
Those Absent:

Ø


Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:


County Clerk

This Ordinance shall be in force and effect from and after the 21st day of June, 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 an ordinance introduced and read by title at the Board of County Commissioners of the County (the "Board") held on May 14, 2002 and adopted on June 11, 2002 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such District held on May 14, 2002 and of the hearing on the Ordinance held on June 11, 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. The copy of such ordinance is 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 ordinance as follows:

Those Voting Aye: Joanne Bond
Jim Galloway
Pete Sferrazza
Jim Shaw
Ted Short

Those Voting Nay: _____

Those Absent: _____

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 held, 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 June 11, 2002.

Amy Harvey

 County Clerk

(SEAL)

EXHIBIT "A"

(Attach Copy of Minutes of May 14, 2002 Hearing on
District No. 24 Boundary Amendment)

02-489

**BILL NO. 1340 -AMENDING ORDINANCE 1000 - SPECIAL
ASSESSMENT DISTRICT NO. 24 - GROUNDWATER
REMEDATION - PROPOSED BOUNDARY AMENDMENTS**

Bill No. 1340, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," was introduced by Commissioner Shaw, the title read to the Board and direction was given to publish legal notice for final action of adoption.

EXHIBIT "B"

(Attach Minutes of June 11, 2002 Hearing on Ordinance)

02-604 ORDINANCE NOS. 1164 & 1165- BILL NOS. 1340 & 1342 -
GROUNDWATER REMEDIATION

5:30 p.m. This was the time set in Notices of Public Hearing published in the *Reno Gazette-Journal* on May 31, 2002, to consider the second reading and adoption of Bill Nos. 1340 and 1342. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinances.

Malyn Malquist, General Manager, Truckee Meadows Water Authority (TMWA), indicated they have received a number of phone calls from customers expressing confusion concerning water bills and water quality. The proposed Ordinances would not impact water bills as the remediation fee shows up on the property tax bill of the property owner. TMWA has adopted a budget for next year that has no rate changes. The water quality is some of the purest in the Country. Although five of TMWA's wells do contain PCE above the levels allowed by the Federal government, TMWA provides

on-site treatment of the water from these wells removing PCE prior to putting the water into the distribution system. Based on the annual report, the water quality meets or exceeds all of the standards required by law. The remediation district paid for the cost of building the treatment facilities at the five wells.

Michael Pagni, Attorney, representing the Silver Legacy Resort Casino and Eldorado Hotel Casino spoke in opposition to the fee increases. He read a letter from Sylvia Harrison, Esq. into the record, which was provided to the County Clerk.

Commissioner Galloway explained that the results of the proposed fee structure of four to one most closely approximates a structure based on property value.

Legal Counsel Madelyn Shipman explained that State law requires the fee must be based on annual water bills and the Ordinance is structured to meet State law.

Shirley Canale, Belgrave Avenue homeowner, spoke against the proposed fee structure. She feels the fee is being forced on the less fortunate.

Chairman Sferrazza advised that the original proposal would have raised the fee in her area to \$60, the proposed fee is \$30, which is approximately \$10 more than her current fee. This legislation protects against property values declining as a result of the federal government considering the property contaminated.

Ms. Shipman explained the law is written to eliminate the need for designation of Superfunds where under federal law every person in chain of title is liable for the contamination. You have a liability exposure if the federal government, through the State, orders clean up of property for contamination, even if you had nothing to do with contaminating it. The purpose of this legislation is to avoid numerous lawsuits.

Steve Bradhurst, Director, Water Resources, explained there is a cap on the proposed fee to prevent substantial budget increases, but it is not known how long the remediation district and the fee will be in force. It is likely to be many years, as it is very difficult to extract PCE once it is in the groundwater.

Wayne Seidel, Public Works Director, City of Sparks, feels the fees should not be imposed until 2003 when a final remediation plan has been approved by the Nevada Division of Environmental Protection (NDEP). He said the boundary is "less than an educated guess at best" and the City of Sparks would recommend slight increases of 5 to 10 percent to the existing rate structure for the upcoming year.

Greg Dennis, Reno Sanitary Engineer, recommends keeping the existing rate structure and increase rates to contaminated areas rather than lowering the general amount and increasing the amount to commercial properties by four to one.

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

Jim Ford, Remediation District Program Manager, explained that if the current fee rate was kept in place for all water users and it were increased to implement the remediation district program, the cost would be approximately \$4 over last year, increasing from \$20 to \$24. The statute requires the fee be based on benefits. Efforts were focused on limitation of liability, cleaning up the aquifer, and eliminating the threat of decreased property value. The cost has already been paid to receive clean water, and the cleanup is to reduce contamination of properties. The hope is that the long term effect would be a decrease in wellhead treatments. In response to Commissioner Galloway's questions, Mr. Ford responded that some processes would include pump and treat, including water not used for consumptive purposes, containment by wells, and removing contaminated sources through back hoeing, trucking and treating of soils, wellhead treatment, and management of the plume. He stated that these active remediation processes have all been agreed to by NDEP. The agreement with NDEP is that a certain cost threshold will not be exceeded, about \$1 million for the contaminated area. The district was not created to pay for development activities.

Commissioner Shaw asked if the Cities of Reno and Sparks indicated their concern over the remediation district being too large when the entities first met to discuss the district boundaries. Mr. Ford indicated there were a number of technical meetings in which all entities were invited to participate. The County published documents on the data collection and interpretation, distributed them for comments, and never received comments. There was very little attendance at the meetings where technical components were discussed. He anticipates a presentation to the County Commissioners on June 18 or June 25, of the draft remediation plan document. They looked at groundwater quality, soil quality and land use in developing the boundaries of the contaminated area. The fee structure would be three-tiered, with the majority of the cost being paid by those property owners that benefit the most from the clean up. Group A encompasses all water users and they will benefit by continuing to receive PCE free drinking water. They currently pay \$19.87 annually and the proposed fee would be \$15.72 annually. Group B consists of 6,285 property owners that overlie the area that has been identified as impacted by PCE contaminated groundwater. They currently pay \$19.82 annually and this is proposed to increase to \$31.44 annually. Group C includes 4,207 non-residential parcels in the contaminated area. They currently pay \$78 annually and this fee would increase to \$230 annually.

Ms. Shipman advised that the law does not allow specific amounts or percentages to be used, and all numbers are based on average water rates or flat rates for residential users and the formula is derived based upon the amount needed for the budget. She emphasized that any discussion about numbers is representative and not specific to any parcel.

Mr. Ford indicated that a component of the plan involves public outreach to explain what problems have been solved and the progress made.

Chairman Sferrazza read into the record a letter he received from Doug Zimmerman, Chief of the Bureau of Directive Actions, in support of the remediation plan as currently proposed. Chairman Sferrazza made a commitment to the Cities of Reno and Sparks and to the residents affected by the remediation district to meet with County staff and work together on cost allocations for subsequent years.

Commissioner Galloway pointed out that the law requires immediate action and he supports the Ordinances.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1164, Bill No. 1340, entitled "AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," and Ordinance No. 1165, Bill No. 1342, entitled "AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

EXHIBIT "C"

(Attach Copy of Notice of May 14, 2002 Meeting)

COUNTY COMMISSIONERS

Pete Sferrazza, Chairman
 Joanne Bond, Vice-Chairman
 Jim Galloway
 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

May 14, 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, 2nd Floor, Reno) on MONDAY, May 13, 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 (May 13, 2002), the following workshops will be held:

- 1) Presentation and discussion of the Fiscal Year 2003/07 Capital Improvements Program (CIP). The presentation will include an overview of the following: purpose, process, funding mechanisms, criteria used to prioritize projects and issues to address in Fiscal Year 2002/03.
- 2) Discussion and direction regarding Fiscal Year 2002/03 Budget.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9th 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.

Support documentation for items on the agenda, provided to the Washoe County Board of Commissioners, is available to members of the public at the County Manager's Office (1001 E. 9th St., Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.co.washoe.nv.us.

- 5:30 p.m. 20. 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 reading and adoption of an Ordinance amending the Washoe County Code by creating the Office of the Public Guardian; providing for the appointment to such office and the duties and compensation thereof; providing other matters properly relating thereto. (Bill No. 1338)
 - B. Special Assessment District 24 (Groundwater Remediation).
 To consider proposed amendments to the boundaries of District No. 24 (Groundwater Remediation).

AND IF ABOVE IS APPROVED

First reading of an Ordinance amending Ordinance No. 1000 creating the Washoe County, Nevada District No. 24 (Groundwater Remediation) in order to change the boundaries of the District; ratifying, approving and confirming all action previously taken directed thereto; and providing the effective date hereof.

EXHIBIT "D"

(Attach Copy of Notice of June 11, 2002 Meeting)

COUNTY COMMISSIONERS

Pete Sferrazza, Chairman
 Joanne Bond, Vice-Chairman
 Jim Galloway
 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

June 11, 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, 2nd Floor, Reno) on MONDAY, June 10, 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 (June 10, 2002), the following *workshops* will be held:

- 1) Presentation and direction to staff on proposed revisions to the Washoe County Code including renumbering, reformatting and updating the style of code—Community Development Department, County Clerk's Office and District Attorney's Office.

Pulled 2) Update on Tiburon—Sheriff.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations: Washoe County Administration Building (1001 E. 9th 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.

Support documentation for items on the agenda, provided to the Washoe County Board of Commissioners, is available to members of the public at the County Manager's Office (1001 E. 9th St., Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.co.washoe.nv.us.

5:30 p.m. 19. B. Second Reading and Adoption of Ordinances.

- (1) Amending Ordinance No. 1000 creating the Washoe County, Nevada District No. 24 (groundwater remediation) in order to change the boundaries of the District; ratifying approving and confirming all action previously taken directed thereto; and providing the effective date hereof. (Bill No. 1340)

EXHIBIT "E"

(Attach Affidavit of Publication of Notice of Filing of Amendatory 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

Customer Account # 349008
PO# /ID# 2046
Legal Ad Cost \$112.16

- Washoe County
- Comptrollers Office
- PO Box 11130
- Reno, NV 89520

STATE OF NEVADA
COUNTY OF WASHOE

Sue Dummar

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 1340

has published in each regular and entire
issue of said newspaper on the following
dates to wit:
May 31, 2002

Signed *Sue Dummar*

scribed and sworn to before me this

JUN 06 2002

Tana Ciccotti
Notary Public

PROOF OF PUBLICATION

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, the 11th day of June, 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. 1340
ORDINANCE NO. _____
(of Washoe County, Nevada)
AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; 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 has created Washoe County, Nevada, Special Assessment District No. 24 for the purpose of remediation of the quality of water at various other matters in connection therewith, and make certain findings.

The ordaining clause is then set forth.
Section 1 amends the boundaries of the District with respect to the fee collected in 2002.

Sections 3, 4 and 5 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 6, 7 and 8 provide for notice by publication of the June 11, 2002 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 June 11, 2002; 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 this May 14, 2002.

/s/ Amy Harvey
County Clerk

No. 2046-May 31, 2002

700070

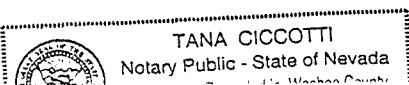


EXHIBIT "F"

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

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

Customer Account # 349008
PO# /ID# 2258
Legal Ad Cost \$125.12

- Washoe County
- Comptrollers Office
- PO Box 11130
- Reno, NV 89520

STATE OF NEVADA
COUNTY OF WASHOE

ss Sue Dummar

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 1340

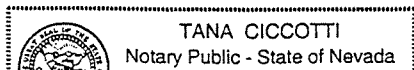
has published in each regular and entire
issue of said newspaper on the following
dates to wit:

June 14, 21, 2002

Signed *Sue Dummar*

Subscribed and sworn to before me this
JUN 24 2002

Tana Ciccotti
Notary Public



PROOF OF PUBLICATION

NOTICE OF ADOPTION
BILL NO. 1340
ORDINANCE NO. 1164

AN ORDINANCE AMENDING
ORDINANCE NO. 1000 CREAT-
ING THE WASHOE COUNTY,
NEVADA DISTRICT NO. 24
(GROUNDWATER REMEDIA-
TION) IN ORDER TO CHANGE
THE BOUNDARIES OF THE
DISTRICT; RATIFYING,
APPROVING AND CONFIRM-
ING ALL ACTION PREVIO-
USLY 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 avail-
able for inspection by the inter-
ested parties at the office of
the County Clerk of Washoe
County, Nevada, at her office
at the County Courthouse, Vir-
ginia and Court Streets, Reno,
Nevada; and that said Ordina-
nce was proposed by Com-
missioner Shaw on May 14,
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 June
11, 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: -0-
Those Absent: -0-

This Ordinance shall be in full
force and effect from and after
June 21, 2002, i.e., the date of
the second publication of such
Ordinance by its title only.

IN WITNESS WHEREOF, the
Board of County Commission-
ers of Washoe County,
Nevada, has caused this Ordina-
nce to be published by title
only.

DATED this June 11, 2002.
/s/ Pete Sferrazza, Chairman
Board of County Commission-
ers, Washoe County, Nevada
Attest:
/s/ Amy Harvey, County Clerk
No. 2258 June 14, 21, 2002