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STATE OF NEVADA  
COUNTY OF WASHOE

ss: Julia Ketcham

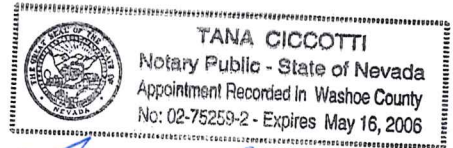
Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **06/11/04 - 06/18/04**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed:

*Julia Ketcham*

**JUN 22 2004**



*Tana Cicotti*

**Proof of Publication**

BILL NO. 1419 ORDINANCE NO. 1240 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. 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 350 South Center Street, Suite 100, Reno, Nevada; and that said ordinance was proposed by Commissioner Sferrazza on May 11, 2004, 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 8, 2004, by the following vote of the Board of County Commissioners: Those Voting Aye: Jim Galloway, David Humke, Pete Sferrazza, Jim Shaw, Bonnie Weber Those

Voting Nay:none Those Absent:none This ordinance shall be in full force and effect from and after June 18, 2004, 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 June 8, 2004. /s/ Jim Shaw, Chairman Board of County Commissioners Washoe County, Nevada (SEAL) Attest: /s/ Amy Harvey, County Clerk No.304735 June 11, 18, 2004

Fee Adoption Ordinance

Summary - An ordinance levying a fee in Washoe County, Nevada District No. 24 (Groundwater Remediation), ratifying action taken by County officers, and providing other matters related thereto.

BILL NO. 1419

ORDINANCE NO. 1240

**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.**

**WHEREAS**, Washoe County in the State of Nevada (the "County" and "State", respectively), is a county organized and operating under the laws of the State of Nevada(the "State"); and

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

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

**WHEREAS**, subsection 2 of NRS § 540A.250 provides that on receipt of the Certification, the Board must proceed in cooperation with the County or District Health Officer

and the Division to verify the existence and extent of the condition and establish the appropriate boundaries of a district for the remediation of the quality of water (the "District"); and

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

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

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

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

**WHEREAS**, pursuant to NRS § 540A.250 and the Certification so received, the Board has proceeded in cooperation with the County Health Officer and the Division of Environmental Protection to verify the existence of the condition and establish appropriate boundaries of the District; and

**WHEREAS**, pursuant to NRS § 540A.250 of the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" as updated by the "Central Truckee Meadows Remediation District Remediation Management Plan" dated October 28, 2002 (as updated, the "Plan for Remediation"); and

**WHEREAS**, the Plan for Remediation (including the update) has been submitted to the Division of Environmental Protection of the State of Nevada (the "Division") and approved by the Division pursuant to Subsection 1 of NRS §540A.260; and

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

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

**WHEREAS**, the Board pursuant to Ordinance No. 1000 adopted and approved on November 14, 1997, as amended by ordinances adopted and approved on June 16, 1998, June 8, 1999, June 13, 2000, June 12, 2001, June 11, 2002, June 10, 2003 and June 8, 2004 (as amended, the "Creation Ordinance"), created a district (the "District" or "District No. 24") for the remediation of the quality of water pursuant to NRS §540A.250 through § 540A.285 (the "Act") whose boundaries in accordance with NRS §540A.250 include the wholesale and retail water service area of Sierra Pacific Power Company (herein "Sierra Pacific") and its successors in the water business, the Truckee Meadows Water Authority ("TMWA"), which was in the case of Sierra Pacific and is in the case of TMWA, a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

**WHEREAS**, the Board has heretofore determined does hereby declare that a portion of the cost of developing and carrying out the plan for remediation is to be deferred with the proceeds of bonds (the "Bonds"); and

**WHEREAS** the Board has also determined that a portion of the costs of developing and carrying out the plan for remediation is to be paid from certain cash on hand and that a portion of such cost is also to be paid with a portion of the fee collected in 2004-2005; and

**WHEREAS**, the Board has heretofore determined that the cost of debt service on the bonds and operation and maintenance in connection with carrying out the Plan for Remediation is to be paid by a fee imposed on the properties in the District; and

**WHEREAS**, in the Creation Ordinance, the Board determined that the condition which requires remediation affects the quality of drinking water within the region; and therefore, pursuant to subsection 1(a) of NRS §540A.265 the fee apportioned must be based on a percentage of the total amount billed in the preceding calendar year to each parcel of property within the District for water by the provider of retail water service to the parcel of property; and

**WHEREAS**, the Board has determined and hereby determines that the estimated

amount required to pay one year's principal and interest on the Bonds ("debt service") is \$394,000; and

**WHEREAS**, the Board has determined and hereby determines that the estimated amount required to pay TMWA for one year's operation and maintenance ("O & M") costs as provided in the County's agreement with Sierra Pacific to which TMWA succeeded is \$300,000; and

**WHEREAS**, the Board has determined and hereby determines that the annual amount necessary to pay the one year's cost of additional capital expenses and monitoring, administration, collection and other continuing costs in furtherance of and in connection with developing and carrying out the Plan for Remediation (collectively, "Ongoing Costs") is \$1,756,000; and

**WHEREAS**, it is therefore necessary to raise \$2,450,000 in fiscal year 2004-2005 to pay one year's Debt Service, O & M and Ongoing Costs; and

**WHEREAS**, the Board has determined at this time that considering the nature of the capitol projects currently being funded with the Bonds and the nature of the Ongoing Costs being collected at this time, it is appropriate to weight or adjust the amount billed pursuant to paragraph (b) of subsection 1 of NRS §540A.265, and consequently that the methods of weighting or adjusting outlined in paragraphs (b) and (c) of such subsection are being applied to the fee being apportioned by this ordinance and the Board hereby finds and declares that such apportionment is just and equitable; and

**WHEREAS**, there has been submitted to staff of the County a list of all parcels of land in the District (excluding all property owned by the federal government), together with the amount billed for water to those parcels in calendar year ending December 31, 2003, in which, in the cases of properties within the District where retail water service was not provided for a full calendar year, or where a full calendar year's billing was not available, the estimated amount billed for water for a full calendar year was provided or developed, taking into account a partial year's billing extended to 12 months, or an average of fees on parcels of property within comparable zonings or uses; and

**WHEREAS**, there has been prepared and filed with the County Clerk on May 11, 2004 a list, entitled "District No. 24 (Groundwater Remediation) 2004 Fee Apportionment List" (the "Fee Apportionment List"), of each parcel of property within the District (excluding parcels

owned by the United States) and an apportionment of the \$2,450,000 to be raised by the fees described above to each parcel of land in the District, which apportionment is based on the amount billed to that parcel for water, weighted and adjusted as described in paragraphs (b), (c) and (d) of subsection 1 of NRS § 540A.265; and

**WHEREAS**, the Board has determined and hereby determines that the apportionment provided in the list described above is fair, just and equitable and is hereby adopted.

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

Section 1. All actions, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this Washoe County, Nevada District No. 24 (Groundwater Remediation) Fee Imposition Ordinance (the "Ordinance")) concerning the District and the Plan of Remediation, and the imposition and apportionment of a fee therefore are ratified, approved and confirmed.

Section 2. For the purpose of paying the cost of developing and carrying out the Plan for Remediation, there is hereby imposed against each of the lots, tracts and parcels of land in the District (except property owned by the Federal Government), the amount shown for that tract or parcel of land in the Fee Apportionment List as filed in the office of the County Clerk on May 11, 2004. The Board hereby finds and determines and to impose and apportion the fee in the amounts shown in the Fee Apportionment List, all in accordance with the Act.

Section 3. In accordance with subsection 2 of NRS § 540A.265, the fee imposed by this ordinance shall be collected by the County Treasurer with the general taxes of the County, and payment therefore must be enforced in the same manner and with the same remedies as provided for the collection of general taxes. The amount of the fee shall be due with the first installment of property taxes and shall be payable in full on that date. There shall not be any option to pay the fee in installments. The Clerk is hereby directed to certify a copy of the Fee Apportionment List to the County Treasurer for collection purposes.

Section 4. 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 the issuance of the Bonds.

Section 5. 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 6. In accordance with NRS § 244.100, this ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the ordinance and an adequate summary of the ordinance, and the date upon which a public hearing will be held on such ordinance by publication at least once in the Reno Gazette-Journal, i.e., a newspaper published and having general circulation in the County, at least ten (10) working days before the date set for such hearing, i.e., at least ten (10) working days before the 8th day of June, 2004, 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 8th day of June 2004, 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 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.**

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, District No. 24 (the "District") for the purpose of remediating the quality of water and various other matters in connection therewith, and recite the costs anticipated to be incurred therefore and the appropriation of those costs on the various parcels of land in the District, and make certain findings .

The ordaining clause is then set forth.

Section 1 ratifies the action previously taken and Section 2 imposes and apportions a fee for remediation on each parcel of land in the District except parcels owned by the Federal Government.

Section 3 provides for collection of the fee with general taxes.

Sections 4 and 5 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 8, 2004 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 8, 2004; 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 11, 2004.

/s/ Amy Harvey  
County Clerk

(SEAL)

(End of Form for Publication)

Section 7. 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 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.

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 11, 2004, 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 8, 2004, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Jim Galloway  
David Humke  
Pete Sferrazza  
Jim Shaw  
Bonnie Weber

Those Voting Nay:

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

Those Absent:

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

This ordinance shall be in full force and effect from and after June \_\_\_, 2004, 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 June 8, 2004.

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

(SEAL)

Attest:

/s/ Amy Harvey  
County Clerk

(End of Form of Publication)

Section 8. 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 11th day of May, 2004.

Proposed by Commissioner SFERRAZZA.

Passed the 8th day of June, 2004.

Those Voting Aye: Jim Galloway  
David Humke  
Pete Sferrazza  
Jim Shaw  
Bonnie Weber

Those Voting Nay: (NONE)

Those Absent: (NONE)

James M. Shaw  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:  
Amy Hawey  
County Clerk

This ordinance shall be in force and effect from and after the 18th day of June, 2004, 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 11, 2004, and adopted on June 8, 2004 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such ordinance held on June 8, 2004 are attached as Exhibit A. 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: Jim Galloway  
David Humke  
Pete Sferrazza  
Jim Shaw  
Bonnie Weber

Those Voting Nay: (NONE)

Those Absent: (NONE)

3. On June 11, 2004, after final adoption of the ordinance, I certified a copy of the District No. 24 (Groundwater Remediation) 2003-2004 Fee Apportionment List, as approved by the Board in the ordinance, to the County Treasurer.

4. 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:

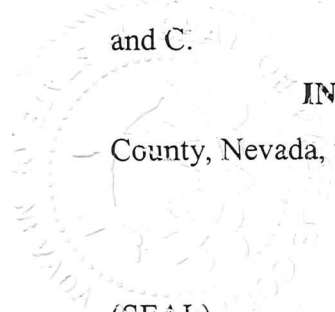
- 1. Washoe County Administration Complex  
1001 East Ninth Street  
Reno, Nevada
- 2. Washoe County Courthouse  
Virginia and Court Streets  
Reno, Nevada
- 3. Washoe County Library  
301 South Center Street  
Reno, Nevada
- 4. Justice Court  
630 Greenbrae Drive  
Sparks, Nevada

(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 B

and C.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of Washoe County, Nevada, this June 11, 2004.



(SEAL)

*Amy Harvey*  
 \_\_\_\_\_  
 County Clerk



**EXHIBIT "A"**

**(Attach Minutes of June 8, 2004 Hearing on Ordinance)**

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

JUNE 8, 2004

PRESENT:

**Jim Shaw, Chairman**  
**Bonnie Weber, Vice Chairman**  
**David Humke, Commissioner\***  
**Jim Galloway, Commissioner**  
**Pete Sferrazza, Commissioner**

**Amy Harvey, County Clerk**  
**Katy Singlaub, County Manager**  
**Madelyn Shipman, Assistant District Attorney**

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:

**04-509A     WORK CARD PERMIT APPEAL - CONTINUATION FROM**  
**MAY 17, 2004 – PAUL CLAY**

Paul Clay's appeal, continued from May 17, 2004, of the Sheriff's denial of his work card permit application was considered on Monday, June 7, 2004 prior to the Caucus meeting in the Commission Caucus Room, 1001 East Ninth Street, Second Floor, Reno, Nevada, with Commissioners Shaw, Humke, Galloway, and Weber present.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, the Board convened in closed session to hear testimony as to why the work card should or should not be granted.

The appellant, Paul Clay, as well as Nola Jones, Trinity Church Interfaith Activity Coordinator, were present to offer testimony during the closed session. Also present was Alice LeDesma, Washoe County Social Services, Child Care Licensing Division.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, the Board reconvened in open session and the following action was taken:

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke voting "no" and Commissioner Sferrazza absent, the Board ordered that the appeal be approved and that the work card permit be granted to Paul Clay.

Ted Harris, Incline Village resident, spoke in support of Ina Haupt and against anyone from the Assessor's Office being on the County BOE.

J. Edward Parker, local resident, said the most qualified people to be on the BOE are those who have been in the profession.

Following discussion and nomination by Chairman Shaw, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza voting "no", it was ordered that Ina Haupt be appointed to the BOE to fill the unexpired term of June 30, 2006 and Thomas Koziol be appointed to the BOE to fill the unexpired term of June 30, 2007.

**04-550      ORD. NO. 1239 - BILL NO. 1418 – AMENDING ORDINANCE NO. 1000 – DISTRICT NO. 24 GROUNDWATER REMEDIATION - CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT - BOUNDARIES**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 28, 2004 to consider second reading and adoption of Bill No. 1418. 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 Ordinance. There being no one wishing to speak, the Chairman closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke abstaining, Chairman Shaw ordered that Ordinance No. 1239, Bill No. 1418, 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,**" be approved, adopted and published in accordance with NRS 244.100.

**04-551      ORD. NO. 1240 - BILL NO. 1419 – DISTRICT NO. 24 GROUNDWATER REMEDIATION - CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT - FEES**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 28, 2004 to consider second reading and adoption of Bill No. 1419. 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 Ordinance. There being no one wishing to speak, the Chairman closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke abstaining, Chairman Shaw ordered that Ordinance No. 1240, Bill No. 1419, 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.

04-552      ORD. NO. 1241 - BILL NO. 1421 – AMENDING WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE – TAHOE AREA HISTORIC PRESERVATION

**5:30 p.m.**      This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 28, 2004 to consider second reading and adoption of Bill No. 1421. 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 Ordinance.

Michelle Schmitter, Thunderbird Lodge Preservation Society Executive Director, said the society supports the Development Code amendment and salutes the County for thinking of historic preservation. She then discussed the contents of the packet given to the Board and placed on file with the Clerk.

Gary Schmidt, local resident, said he supported the amendment and the Thunderbird Lodge Preservation Society.

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

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Shaw ordered that Ordinance No. 1241, Bill No. 1421, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 220, TAHOE AREA, TO PRESERVE BUILDINGS AND SITES WHICH**

**EXHIBIT "B"**

**(Attach Copy of Notice of May 11, 2004 Meeting)**

COUNTY COMMISSIONERS

Tom Shaw, Chairman  
 Jonnie Weber, Vice-Chairman  
 Jim Galloway  
 David Humke  
 Pete Sferrazza

COUNTY MANAGER

Katy Singlaub

ASSISTANT  
DISTRICT ATTORNEY

Madelyn Shipman

**AGENDA****WASHOE COUNTY BOARD OF COMMISSIONERS****COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada**

**May 11, 2004**

**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, May 10, 2004** 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 meetings.

**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 10, 2004),** the following items may also be discussed:

Meeting Management Effectiveness.

Possible items for placement on the May 18, 2004 Commission Agenda.

Review and direction on Sierra Forest Fire Protection District Study of Fire Service Alternatives (Mary Walker).

**Note:** The Washoe County Commission will convene as the Sierra Forest Fire Protection Board of Fire Commissioners for the above item.

Discussion and possible direction concerning Fiscal Year 2004/05 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. 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 Board of Fire Commissioners for the Sierra Forest Fire Protection District and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

**5:30 p.m.** 23. **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. Groundwater Remediation (Central Truckee Meadows Remediation District)  
(Water Resources).

- (1) Public Hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District).

**AND**

- (2) First reading of an Ordinance amending Ordinance No. 1000 creating the Washoe County, Nevada District No. 24 (Groundwater Remediation, also know as Central Truckee Meadows Remediation District) 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. (Second reading and adoption to be set for June 8, 2004.)

**AND**

- (3) First reading of an Ordinance concerning the Washoe County, Nevada District No. 24 (Groundwater Remediation, also known as Central Truckee Meadows Remediation District); 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. (Second reading and adoption to be set for June 8, 2004.)

B. Second Readings and Adoption of Ordinances.

- (1) Amending the Washoe County Code, Chapter 110, Development Code, Article 104, Growth Management System, by deleting the reference to zoning administrator and adding a reference to hearing examiner; Article 324, Communication Facilities, by deleting the reference to zoning administrator and adding a reference to hearing examiner; Article 414, Noise and Lighting Standards, by deleting the reference to zoning administrator and adding a reference to hearing examiner; Article 808, Administrative Permits, by deleting the reference to zoning administrator and adding a reference to hearing examiner, amending review, noticing and appeal procedures, and defining when a permit becomes null and void; Article 810, Special Use Permits, by

**EXHIBIT "C"**

**(Attach copy of Notice of June 8, 2004 Meeting)**



**COUNTY COMMISSIONERS**

Tom Shaw, Chairman  
 Bonnie Weber, Vice-Chairman  
 Jim Galloway  
 David Humke  
 Pete Sferrazza

**COUNTY MANAGER**

Katy Singlaub

**ASSISTANT  
DISTRICT ATTORNEY**

Madelyn Shipman

**AGENDA****MEETING OF****WASHOE COUNTY BOARD OF COMMISSIONERS**

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

**June 8, 2004**

**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, please 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. 9<sup>th</sup> St., 2<sup>nd</sup> Floor, Reno) on **MONDAY, June 7, 2004**, following the *Work Card Permit Appeal*, 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 brief staff presentation of issue and may include review of background information and questions to be answered at the regular meeting.

**NOTE:** The Board of County Commissioners, on **MONDAY, June 7, 2004**, at **1:30 p.m.**, will take action on a *May 17, 2004 continued* **WORK CARD PERMIT APPEAL** for Paul Clay. The **HEARING** will be a **CLOSED SESSION** to discuss the applicant's character or other matters under NRS 241.030(1) and will take place in the Commission Caucus Room (1001 E. 9<sup>th</sup> St., 2<sup>nd</sup> Floor, Reno).

**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 7, 2004)**, the following items may also be discussed:

Meeting Management Effectiveness.  
 Possible items for placement on the June 15, 2004 Commission Agenda.

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), 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 Board of Fire Commissioners for the

- \*19. Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).
- 20. Discussion and possible direction regarding 2002 Regional Plan Settlements, litigation, potential litigation and associated issues, including reports on actions of the Regional Planning Commission and Regional Planning Governing Board.

**5:30 p.m.**

- 21. **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 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. 1418).
  - B. Second Reading and Adoption of 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. (Bill No. 1419).
  - C. Second Reading and Adoption of an Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 220, Tahoe area, to preserve buildings and sites which have been listed on a national or state registry of historic places and to provide for appropriate uses other than those permitted in the underlying regulatory zone as an aid to the owners' efforts to preserve the historic or landmark value of the property, to provide for an operations plan that assures appropriate parking is provided, that allow uses on the property which are compatible with the adjacent neighborhoods and which assures that modifications made to the structure(s) or site do not compromise the historic significance of the property's structures or site, to provide notice and appeal of the Director's determination, and other matters properly relating thereto. (Bill No. 1421).

**END OF SCHEDULED PUBLIC HEARINGS**

**EXHIBIT "D"**

**(Attach Affidavit of Publication of Notice of Filing of Fee Ordinance)**

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STATE OF NEVADA  
COUNTY OF WASHOE

ss: Julia Ketcham

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 1419

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:  
May 28, 2004

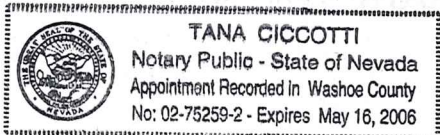
Signed: *Julia Ketcham*

Subscribed and sworn to before me this

*7-7-04*

*Tana Ciccotti*

Notary Public



PROOF OF PUBLICATION

BILL NO. 1419  
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 8th day of June 2004, 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. 1419  
ORDINANCE NO. \_\_\_\_\_  
(of Washoe County, Nevada)

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.

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, District No. 24 (the "District") for the purpose of remediating the quality of water and various other matters in connection therewith, and recite the costs anticipated to be incurred therefore and the appropriation of those costs on the various parcels of land in the District, and make certain findings .  
The ordaining clause is then set forth.

Section 1 ratifies the action previously taken and Section 2 imposes and apports a fee for remediation on each parcel of land in the District except parcels owned by the Federal Government.

Section 3 provides for collection of the fee with general taxes.

Sections 4 and 5 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 8, 2004 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 8, 2004; 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 350 South Center Street, Suite 100, 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 11, 2004.

/s/ Amy Harvey  
County Clerk  
(SEAL)

No.292581 May 28, 2004

**EXHIBIT "E"**

**(Attach Affidavit of Publication of Title of Fee Ordinance Twice)**

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