

RENO GAZETTE-JOURNAL

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PROOF OF PUBLICATION

STATE OF NEVADA
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:
That as legal clerk of the RENO GAZETTE-
JOURNAL, a daily newspaper published in Reno,
Washoe County, State of Nevada, that the notice:
Ordinance No. 1020

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

June 24, July 1, 1998

Signed

[Handwritten Signature]

Subscribed and sworn to before me on 07/01/98

Notary Public

[Handwritten Signature: Jo Anne F. Wessel]

NOTICE OF ADOPTION
WASHOE COUNTY
ORDINANCE NO.1020
BILL NO. 1196

AN ORDINANCE AMENDING OR-
DINANCE NO. 1000 CREATING THE
WASHOE COUNTY, NEVADA DIST-
RICT NO. 24 (GROUNDWATER
REMEDICATION) 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 in-
terested parties at the office of the
County Clerk of Washoe County,
Nevada, at her office at the County
Courthouse, Virginia an Court Streets,
Reno, Nevada; and that said Ordinance
was proposed by Commissioner Jim
Galloway on May 26, 1998, 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 16,
1998, by Commissioneres Joanne
Bond, Sue Camp, Jim Galloway, Mike
Mouliot, with Jim Shaw being absent.

The Ordinance shall be in full force
and effect from and after July 1, 1998,
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, on June 16, 1998,
has caused this Ordinance to be
published by title only.

JUDI BAILEY
Clerk of the
County of Washoe
No. 2661 June 24, July 1, 1998

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

000139

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

GANNETT

7/8/98
PLEASE STAMP & SIGN FOR PAYMENT

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. 1196

ORDINANCE NO. 1020

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.

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 pursuant to NRS 540A.250 through 540A.280 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

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

WHEREAS, the boundaries of the District described in the Creation Ordinance included the wholesale and retail water service area of Sierra Pacific Power Company ("Sierra"), which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

WHEREAS, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra Pacific Power company included in the boundaries of the district should include properties which were actually served with water provided by Sierra on a retail or wholesale basis during calendar year 1997; and

WHEREAS, certain areas and properties were inadvertently included in the boundaries of the District which were not served with water provided by Sierra on a retail or wholesale basis during that period; and

WHEREAS, the Board has determined and hereby determines that an adjustment to the boundaries of the District appears to be necessary to exclude properties which were not served with water provided by Sierra on a retail or wholesale basis during calendar year 1997; and

WHEREAS, after published notice in accord with NRS 540A.262, the Board 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

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. The boundaries of the District are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, but excluding therefrom the properties listed on the "List of Properties Excluded from District 24 Boundaries" as filed with the County Clerk on June 16, 1998 (which filing replaced a filing made on May 6, 1998 in order to exclude additional parcels)."

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) working

days before the date set for such hearing, i.e., at least ten (10) working days before the 16th day of June, 1998, 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 Washoe County Health district South Auditorium, Building B, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, at 9:30 a.m., on Tuesday, the 16th day of June, 1998, 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); 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.

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 16, 1998 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 16, 1998; 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: May 26, 1998

/s/ Judi Bailey

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. 98- _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); 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 26, 1998, 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 16, 1998, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Joanne Bond
Sue Camp
Jim Galloway
Mike Mouliot
Jim Shaw

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after June ___, 1998, 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 16, 1998

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

(SEAL)

Attest:

/s/ Judi Bailey
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 26th day of May, 1998.

Proposed by Commissioner JIM GALLOWAY.

Passed the 16th day of June, 1998

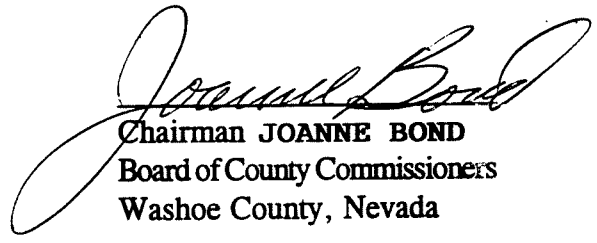
Those Voting Aye:

Joanne Bond
Sue Camp
Jim Galloway
Mike Mouliot

Those Voting Nay:

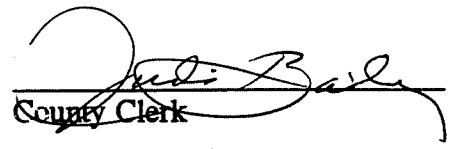
Those Absent:

Jim Shaw


Chairman JOANNE BOND
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:


County Clerk

This Ordinance shall be in force and effect from and after the 1ST day of JULY 1998, i.e., the date of the second publication of such Ordinance by its title only.