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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 1342

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


TANA CICCOTTI
 Notary Public - State of Nevada
 Appointment Recorded in Washoe County
 No: 02-75259-2 - Expires May 16, 2006

PROOF OF PUBLICATION

NOTICE OF ADOPTION
BILL NO. 1342
ORDINANCE NO. 1165

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 Galloway on May 28, 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 Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only.

Dated June 11, 2002.

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

Attest:
/s/ Amy Harvey, County Clerk

No. 2259 June 14, 21, 2002

JUL 03 2002
1165

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. 1342

ORDINANCE NO. 1165

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 in connection therewith, the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" (the "Plan for Remediation") a copy of what is and has been since September 16, 1997 on file in the office of the County Clerk; and

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

WHEREAS, the Plan for Remediation indicates that, and based upon such plan the Board has determined 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 and June 11, 2002 (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 capital cost is also to be paid with a portion of the fee collected in 2002-2003; 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 \$400,000; 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 \$250,000; and

2:1

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 \$1,749,443; and

WHEREAS, it is therefore necessary to raise \$2,399,443 in fiscal year 2001-2002 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, 2001, 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 28, 2002 a list (entitled "District No. 24 (Groundwater Remediation) 2002-2003 Fee Apportionment List Contaminated Area Residential 2:1") (the "Fee Apportionment List") of each parcel of property within the District (excluding parcels owned by the United States) and an apportionment of the \$2,399,443 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 28, 2002. 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 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 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 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 28, 2002.

/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 28, 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 June ___, 2002.

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

(SEAL)

Attest:

/s/ Amy Harvey
County Clerk

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 28th day of May, 2002.

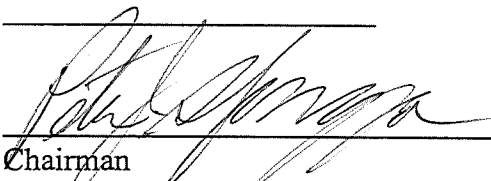
Proposed by Commissioner GALLOWAY.

Passed the 11th day of June, 2002.

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

Those Voting Nay: 0

Those Absent: 0


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 28, 2002, and adopted on June 11, 2002 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such ordinance held on June 11, 2002 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
Joanne Bond
Pete Sferrazza
Jim Shaw
Ted Short

Those Voting Nay: _____

Those Absent: _____

3. On June 12, 2002, after final adoption of the ordinance, I certified a copy of the District No. 24 (Groundwater Remediation) 2002-2003 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 12, 2002.

(SEAL)


County Clerk

EXHIBIT "A"

(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 "B"

(Attach Copy of Notice of May 28, 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

MEETING OF

WASHOE COUNTY BOARD OF COMMISSIONERS

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

May 28, 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, please call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

Monday, May 27, 2002, County Commission Caucus Meeting has been cancelled due to County Holiday.

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 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., 2nd Floor, Reno, Nevada) and on the County's website at www.co.washoe.nv.us.

Unless otherwise indicated by asterisk (*), all items on the agenda are action items upon which the Board of County Commissioners will take action.

2:00 p.m.

- *1. Salute to the flag.
 - *2. Roll call.
 - 3. Approval of the agenda for the Board of County Commissioners' meeting of May 28, 2002.
20. First reading 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.
 (Continued from May 21, 2002 Commission Meeting.)

EXHIBIT "C"

(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.

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)
- (2) 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. 1342)

EXHIBIT "D"

(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

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

STATE OF NEVADA
COUNTY OF WASHOE

ss Sue Dummer

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:

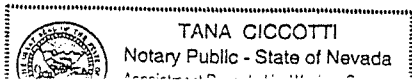
Bill 1342

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

Signed Sue Dummer

Subscribed and sworn to before me this
JUN 06 2002

Tana Cicotti
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 Commis-
sioners 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 hear-
ing objections to the adoption of a proposed ordinance. At such
hearing, interested persons may present their views. The ordi-
nance is entitled:

BILL NO. 1342
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; DESCRIB-
ING THE MANNER FOR THE COLLECTION AND PAYMENT OF
THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL
ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PUR-
POSES; AND PRESCRIBING OTHER MATTERS RELATING
THERE TO.

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 qual-
ity 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 Govern-
ment.

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
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 vot-
ing 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, Vir-
ginia 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 pub-
lished.

Dated this May 28, 2002.

/s/ Amy Harvey
County Clerk

No. -May 31, 2002

100-70

EXHIBIT "E"

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

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Publishers of

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- . 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 1342

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

June 14, 21, 2002

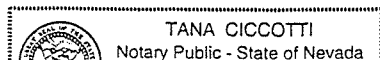
Signed

Sue Dummar

Subscribed and sworn to before me this
JUN 24 2002

Tana Cicotti

Notary Public



PROOF OF PUBLICATION

NOTICE OF ADOPTION
BILL NO. 1342
ORDINANCE NO. 1165

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 Galloway on May 28, 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 Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only.

Dated June 11, 2002.
/s/ Pete Sferrazza, Chairman
Board of County Commission-