



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: February 12, 2019

DATE: Wednesday, February 06, 2019
TO: Board of County Commissioners
FROM: Paul Lipparelli, Assistant District Attorney
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SUBJECT: Recommendation to adopt a resolution approving a cooperative agreement between Washoe County, the Washoe County School District and the Reno-Sparks Convention and Visitors' Authority for the transfer of portions of Wildcreek Golf course on Sullivan Lane in Sparks, Nevada, comprising the parcels of Parcel Map No. 5369, and rights and obligations related to those parcels including: personal property, water rights, rights to an effluent agreement, rights to a golf management agreement and a ditch maintenance agreement and matters properly related thereto. (All Commission Districts)

SUMMARY

A resolution approving a cooperative agreement with the School District and the Convention and Visitors' Authority for the conveyance of a portion of Wildcreek Golf Course to the Washoe County School District for a new high school and setting for the terms of the transfer.

Washoe County Strategic Objective supported by this item: Safe, Secure and Healthy Communities

PREVIOUS ACTION

On May 1, 2017 the Board of County Commissioners approved at a concurrent meeting a letter of intent to cooperate in the planning, development and construction of new high school on a portion of the Wildcreek Site.

On January 15, 2019 in a regular open meeting, by a majority vote of its members, the Board of County Commissioners adopted a resolution of intent and, on the basis of the recitals stated therein and all the evidence and testimony on the record of the meetings of the Board, declared it is in the best interests of Washoe County and its citizens to convey

AGENDA ITEM # _____

Parcel 2 (a portion of the Wildcreek Site) to the School District, and thereby declared its intent to do so.

BACKGROUND

Washoe County has title to Wildcreek Golf Course and related improvements at 3500 Sullivan Lane in Sparks. The Reno-Sparks Convention and Visitor's Authority (RSCVA) developed and operates Wildcreek Golf Course, but the RSCVA's modern focus on attracting overnight visitors to Washoe County lodging properties through tourism marketing, convention sales and facility operation does not include the operation of golf courses and the RSCVA desires to cooperate in transitioning its property interest in the Wildcreek Site to other public agencies for public benefit and use. The Washoe County School District ("School District") identified the Wildcreek Site as a desirable site for a new high school given the proximity to student populations and necessary infrastructure and the needs of the School District ("School Project").

On May 1, 2017 the governing boards of Washoe County, the City of Reno, the City of Sparks, the Washoe County School District Board of Trustees and the Reno Sparks Convention and Visitors' Authority ("RSCVA") approved a letter of intent to cooperate in the planning, development and construction of new high school on a portion of the Wildcreek Site. The School District engaged a team of planning, engineering, legal, construction and real estate consultants to conduct a due diligence report of Wildcreek as a school site and the work included evaluations of drainage, soil conditions, environmental constraints (including wetlands studies), utilities, soils, flight path, traffic and site plan alternatives (the "Due Diligence Report"). The report is available on the School District website:

[https://www.boarddocs.com/nv/washoe/Board.nsf/files/AT6RF369A5A4/\\$file/Attachment A-Wildcreek HS Due Diligence Report.pdf](https://www.boarddocs.com/nv/washoe/Board.nsf/files/AT6RF369A5A4/$file/Attachment A-Wildcreek HS Due Diligence Report.pdf)

The School District's preliminary plans will allow for the possible continuation of a redesigned and reconstructed public golf course on a remainder portion of the Wildcreek Site which would continue to be owned by Washoe County ("Golf Course Project"). The Golf Course Project could be constructed and operated by Washoe County if it is determined to be desirable and viable.

On September 12, 2018 a parcel map was recorded in Washoe County dividing Washoe County's 212.22 acre parcel into 3 parcels as follows: Parcel 1 (14.50 acres), Parcel 2 (87.02 acres) and Parcel 3 (110.72 acres). A copy of the parcel map (Parcel Map No. 5369) is attached as Exhibit A to the resolution. Legal title to all three parcels is currently held by Washoe County. When all the necessary approvals are obtained, Parcel 2 would be transferred to the School District for the School Project and Parcels 1 and 3 would be retained by Washoe County for drainage control and the possible golf course project.

Washoe County and the School District are public agencies as defined in NRS 277.100 with the power to enter into cooperative agreements. State law provides that before ordering the conveyance of any property to another public agency, the board of county commissioners of a county shall, in a regular open meeting, by a majority vote of its members, adopt a resolution declaring its intention to convey the property and set a

date not less than 2 weeks later than the declaration of the intent to convey the property (NRS 277.050). As expressly provided in NRS 244.281, the sale or transfer of property between Washoe County and another public agency pursuant to a cooperative agreement made under NRS 277.050 and NRS 277.053 does not require: a vote of the electors of the public agency, advertising for public bids, the use of the public bidding processes, or minimum price and terms. A cooperative agreement will be prepared for consideration by the Board of County Commissioners after any objections are heard.

Washoe County and the School District envision that after title to Parcel 2 passes to the School District, the School District will lease Parcel 2 to Washoe County so that Wildcreek Golf Course can continue to operate in its present configuration until the time the School District needs to occupy the site for the construction of the School Project.

By adopting the resolution of intent on January 15, the Board declared it is in the best interests of Washoe County and its citizens for Washoe County to convey Parcel 2 to the School District. The actual conveyance can be approved only after a public hearing is held to entertain objections. The Board may direct the termination of the proposal based on objections made or its own findings about the merits of the proposal. If later approved the transfer may be made with or without the payment by School District to Washoe County of money or other consideration because the School Project will be used for a public purpose—a high school and related facilities.

The additional terms and conditions for the transfer may are stated in a cooperative agreement that sets forth that the property will be used for public purposes. Under the proposed cooperative agreement:

- The RSCVA conveys its interest in the Wildcreek Site, the related water rights, the related personal property and fixtures on the site to Washoe County for no charge.
- The School District pays to the RSCVA approximately \$979,706.50 to compensate the agency for acquisition, improvement, maintenance and historic operation of the Wildcreek Site and to compensate for the appraised value of the school site.
- Washoe County conveys to the School District title to Parcel 2 for the School Project.
- The RSCVA is released from its obligations under an effluent agreement with the City of Sparks and the payment obligations will be assumed by the School District.
- The School District pays to Washoe County approximately \$3.1 million to compensate the County for a portion of the value of the school parcel and certain Wildcreek water rights.
- Washoe County conveys to the School District certain Wildcreek water rights.
- Washoe County obtains the right to continue the RSCVA's golf course management agreement with Duncan Golf Management or to terminate it.

- The School District obtains the right to redesign the portion of the Orr Ditch that crosses the Wildcreek Site to relocate it on to the remainder parcels to be owned by Washoe County and the RSCVA is released from the Orr Ditch agreement.

FISCAL IMPACT

Washoe County will receive approximately \$3.1 million from the School District and has obligations to convey certain water rights to the School District.

RECOMMENDATION

It is recommended the Board of County Commissioners adopt a resolution approving a cooperative agreement between Washoe County, the Washoe County School District and the Reno-Sparks Convention and Visitors' Authority for the transfer of portions of Wildcreek Golf course on Sullivan Lane in Sparks, Nevada, comprising the parcels of Parcel Map No. 5369, and rights and obligations related to those parcels including: personal property, water rights, rights to an effluent agreement, rights to a golf management agreement and a ditch maintenance agreement and matters properly related thereto.

POSSIBLE MOTION

I move that the Board of County Commissioners adopt a resolution approving a cooperative agreement between Washoe County, the Washoe County School District and the Reno-Sparks Convention and Visitors' Authority for the transfer of portions of Wildcreek Golf course on Sullivan Lane in Sparks, Nevada, comprising the parcels of Parcel Map No. 5369, and rights and obligations related to those parcels including: personal property, water rights, rights to an effluent agreement, rights to a golf management agreement and a ditch maintenance agreement and matters properly related thereto.