



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.us

STAFF REPORT

BOARD MEETING: May 28, 2019

DATE: April 26, 2019

TO: Board of County Commissioners

FROM: Dave Solaro, Arch., P.E., Assistant County Manager
Community Services Department, 328-3600, dsolaro@washoecounty.us

THROUGH: John Slaughter, County Manager

SUBJECT: Recommendation to approve an agreement between Washoe County, the Washoe County School District, Orr Ditch and Extensions Water Company and the Reno Sparks Convention and Visitors' Authority concerning the duties and costs of design, construction, maintenance, repair, access and liability associated with the relocation and undergrounding of a portion of the Orr Ditch located on a portion of the Wildcreek Golf Course in Sparks, Nevada. (Commission District 3.)

SUMMARY

Washoe County, the Washoe County School District (WCSD), and the Reno Sparks Convention and Visitors' Authority (RSCVA) entered into a cooperative agreement for the transfer of property rights relating to the property currently used as the Wildcreek Golf Course. A part of the transfers from RSCVA to Washoe County, is a maintenance agreement with the Orr Ditch and Extensions Water Company for the maintenance of the portion of the Orr Ditch across the property.

With the construction of the proposed school, the WCSD has proposed a realignment of the Orr Ditch into a siphon facility located on a Washoe County parcel associated with the golf course. This item is a new agreement between the parties to define the realignment work and certain rights and duties related to the realignment of the Orr Ditch, abandonment of portions of the Orr Ditch right of way, and ongoing maintenance and liability with respect to the Orr Ditch where it traverses the WCSD parcel and the County parcel.

Washoe County obligations are outlined in section 2.2 of the attached agreement and much of the ongoing maintenance responsibilities will be performed by the golf operator licensed to operate Wildcreek Golf Course.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

PREVIOUS ACTION

On February 19, 2019, the Board of County Commissioners (Board) heard a presentation and update by Pete Etchart, Chief Operations Officer, from the Washoe County School District on the Wildcreek Area High School.

AGENDA ITEM # _____

On February 19, 2019, the Board adopted 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.

On January 15, 2019, the Board 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 Parcel 2 (a portion of the Wildcreek Site) to the School District, and thereby declared its intent to do so.

On May 1, 2017 the Board 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.

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.

The Orr Ditch has traversed the Wildcreek Golf Course Site for many decades. The ditch is owned by the Orr Ditch and Extensions Water Company which has the right to operate the ditch in its current location. The School District's desire to relocate the ditch off the School District Parcel and onto the County's parcel requires the consent of the Orr Ditch and Extensions Water Company. In exchange for agreeing to allow the School District to relocate the ditch including an underground segment, the Orr Ditch and Extensions Water Company required the County to take on certain maintenance responsibilities and to indemnify and hold the company harmless for liabilities associated with the operation of the ditch across the County parcel. If the attached agreement is approved it would create those duties for the County. If the County Parcel continues to be used for a golf course, some of the ditch maintenance duties are expected to be passed on to the operator of the golf course.

FISCAL IMPACT

Washoe County will be responsible for the costs of certain maintenance for the operation of the ditch across the County parcel and is potentially financially responsible for damages that are suffered by the ditch company associated with the certain segment of the ditch. Proceeds from the County's sale of property to the Washoe County School District will provide the necessary resources and related budget authority for the County's financial obligations. All financial transactions associated with the operation of the Wildcreek Golf Course will be accounted for separately through the County's Golf Enterprise Fund (520).

RECOMMENDATION

It is recommended the Board of County Commissioners approve an agreement between Washoe County, the Washoe County School District, Orr Ditch and Extensions Water Company and the Reno Sparks Convention and Visitors' Authority concerning the duties and costs of design, construction, maintenance, repair, access and liability associated with the relocation and undergrounding of a portion of the Orr Ditch located on a portion of the Wildcreek Golf Course in Sparks, Nevada.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve an agreement between Washoe County, the Washoe County School District, Orr Ditch and Extensions Water Company and the Reno Sparks Convention and Visitors' Authority concerning the duties and costs of design, construction, maintenance, repair, access and liability associated with the relocation and undergrounding of a portion of the Orr Ditch located on a portion of the Wildcreek Golf Course in Sparks, Nevada."