



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: March 6, 2018

**DATE:** February 22, 2018  
**TO:** Open Space and Regional Park Commission  
**FROM:** Eric Crump, Operations Division Director  
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**THROUGH:** Dave Solaro, Assistant County Manager  
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**SUBJECT:** Presentation and discussion on Washoe County park property, 688 White Fir St., Reno, APN # 039-220-21, and possible recommendation to staff on items related to the parcel, including but not limited to, current and future use, improvements, development and future planning.

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### **SUMMARY**

Washoe County is the owner of parcel #039-220-21, located at 688 White Fir St., Reno (Vicinity map attached). The parcel, consisting of approximately one acre, along with two other parcels totaling approximately 15 acres were acquired in 1978. Washoe County developed the two parcels totaling 15 acres into Mayberry Park, but did not develop the one acre parcel located at 688 Fir St..

Tom and Iris Stille are the owners of parcel #039-220-35, located at 7777 White Fir St., Reno and directly adjacent to Washoe County's one acre parcel. Over the years Mr. and Mrs. Stille have made various improvements to the County's one acre parcel including irrigation, turf, trees, shrubs, trails, electricity, and art displays. Mr. and Mrs. Stille have also utilized the area for various events and programs.

Washoe County seeks to get recommendations on items related to the parcel, including but not limited to, current and future use, improvements and future plans.

### **BACKGROUND**

Mr. and Mrs. Stilles' improvements and use of the Washoe County property for programs and events associated with their River School Farm dates back many years. Throughout this time, Mr. and Mrs. Stille have maintained all of the improvements including the water and electrical supply. Washoe County Park staff can find no written authorization for use or authorization of any of the improvements made by Mr. and Mrs. Stille.

During this past summer, Washoe County Park Staff received complaints from a nearby neighbor regarding use of the park land by Mr. and Mrs. Stille. Washoe County Park staff

AGENDA ITEM # \_\_\_\_\_

and legal counsel from the District Attorney's Office met with Mr. and Mrs. Stille on two occasions, including an onsite visit to discuss the use of the park land.

Mr. and Mrs. Stille have submitted a proposed Non-Exclusive Revocable License Agreement for the use of portions of Mayberry Park to Washoe County. Prior to determining the appropriateness of the proposed agreement, Staff would like to discuss and get possible recommendations on several overarching issues related to the property.

These issues include:

- 1. Appropriateness of improvements made by Mr. and Mrs. Stille** – Mr. and Mrs. Stille have made numerous improvements to the property over time. The improvements include irrigation, turf, trees, landscaping, electricity, trails, and art displays. Park Staff has not performed a detailed assessment of all the improvements, but upon initial inspection, many of the improvements seem to be appropriate for a neighborhood or community park, while others may not be suitable. Some of the site layout and improvements appear to be in direct support of utilizing the area for events. Additionally, Mr. Stille has indicated that the electrical improvements were not permitted with Washoe County or the City of Reno.
- 2. Continued use of the property for events and programs by Mr. and Mrs. Stille** – Mr. and Mrs. Stille appear to be using the property as an extension of the River School Farm. According to their website, [www.riverschoolfarm.org](http://www.riverschoolfarm.org), they offer facility rentals for special events, weddings and receptions. Washoe County currently does not have similar type arrangements with any other group or individual(s). Use of park facilities for events and programs is offered through our park permitting system with established fees and insurance requirements. Many of the events offered by Mr. and Mrs. Stille are not typical events permitted in neighborhood or community parks. Wedding and other social events are primarily permitted within our Regional Park system that have been developed specifically to offer the appropriate accommodations for these types of events. These regional parks generally have specific areas that allow for such use, while still providing for public use of other areas of the park. In the case of this property, events and weddings would generally prohibit or at the least discourage use of the property.
- 3. Ramifications of development, improvements and use by Mr. and Mrs. Stille** – Washoe County has processes and requirements in place to partner with individuals, groups or companies to make improvements, maintain, or work on Washoe County public land. These processes and requirements are in place to reduce risk and protect the County and the public. Maintenance or improvements made by individuals, companies or organizations generally require hold-harmless waivers and, depending on scope of work, insurance requirements. Additionally, the work or improvements are approved and oversight is provided by Washoe County.

Based on the most recent on-site meeting, Staff did not notice any significant safety issues, but a full assessment of the property should be conducted by Washoe County to determine the safety and suitability of the improvements. Currently the improvements have been made without County involvement, and some improvements have not been properly permitted. The suitable improvements

should be formally accepted by Washoe County, and the other improvements that are not suitable should be removed or modified. Any future improvements by Mr. and Mrs. Stille should be proposed and authorized by Washoe County prior to installation or construction. These improvements should offer a public benefit. If on-going maintenance or future improvements are conducted by Mr. and Mrs. Stille, proper hold-harmless waiver and insurance requirements (if applicable) must be in place.

Washoe County also has a permitting process in place for formalized weddings, events and programs. Depending on size and type, these events require security deposits, fees, hold-harmless waivers and insurance requirements, to protect the public land, the County and the park users. All formalized use of the property for weddings, events, programs, etc., by Mr. and Mrs. Stille should be permitted, with the appropriate fees paid, and insurance requirements met.

- 4. Future use and plans for the property** – Currently, Washoe County does not have a master plan or any planned develop for this parcel. The parcel was originally acquired in 1978 along with two other parcels. The two other parcels have been developed into Mayberry Park. Mayberry Park along with Dorostkar Park, and Ambrose Park offer public river access and various park amenities in the vicinity. In looking at trail connections, the Tahoe Pyramid Bikeway has adopted a route through this area and does not appear to need this parcel for connection. The parcel offers challenges for trail connectivity, as it abuts Union Pacific Railroad Company property at the eastern (downriver) end. The current trail alignment appears to be on private property, and construction of a sustainable trail on the County parcel would be very challenging. The shape and location of the parcel is also challenging in terms of use and development. A comprehensive property and title search has not been conducted, but an initial search indicates there are no deed restrictions associated with the property.

Staff is concerned with the unauthorized improvements and use of the property by Mr. and Mrs. Stille, from a legal, risk and precedence standpoint, and seeks to resolve these issues through two possible options. The options are:

**Option 1:** Should Washoe County remain the property owner, staff recommends that the parcel be operated and managed similar to the other parks within the Washoe County Park System. To address the previously discussed issues, all improvements on the property that do not offer a public benefit or are not suitable for the park would be removed or modified. Generally, this would include all the non-permitted electricity, non-County signage, and any unsafe conditions. All other improvements could be offered for dedication to Washoe County for formal acceptance. Additionally, arrangements would need to be made for the ongoing maintenance and irrigation supply by Washoe County or through a maintenance agreement between Mr. and Mrs. Stille and Washoe County. Washoe County could enter into an agreement with Mr. and Mrs. Stille to continue the display of public art. Washoe County signage would be installed to clearly identify the property as a public park with a map indicating the property boundaries.

All future use of the property by Mr. and Mrs. Stille for formalized programs and events would be permitted and insured through the existing park permitting system, or a separate use agreement, and associated fees would be charged.

**Option 2:** Given the availability of adequate public access to the river and park amenities in the vicinity of the property, coupled with the challenges associated with development and use based on the size, location and layout of the parcel, Washoe County could deem the property surplus and sale the property as allowed under Nevada Revised Statutes.

### **RECOMMENDATION**

Staff recommends that the Open Space and Regional Park Commission consider both options and provide staff with:

Option 1.) A recommendation to operate and manage the parcel consistent with the other parks within the Washoe County Park System. Resolution to the following issues would be brought back to the Open Space and Regional Park Commission for final recommendation at a later date:

- Inventory and assessment of all improvements with recommendations for appropriateness
- A plan for the maintenance, operations and irrigation water supply
- A signage plan
- A plan for the permitting of events and programs on the property

Or,

Option 2) A recommendation to Staff to perform preliminary property research to determine if the property can be deemed surplus, and bring a report back to the Open Space and Regional Park Commission for possible recommendation to the Board of County Commissioners.

### **POSSIBLE MOTION**

Should the Board agree with the staff recommendation, a possible motion would be:

Option 1:

“Move to recommend to Park staff that Washoe County parcel # 039-220-21 be operated and managed consistent with the other parks within the Washoe County Park System, and bring back a report outlining resolutions to the following issues to the Open Space and Regional Park Commission for final recommendation:

- Inventory and assessment of all improvements with recommendations for appropriateness
- A plan for the maintenance, operations and irrigation water supply
- A signage plan
- A plan for the permitting of events and programs on the property”

Or

Option 2:

“Move to recommend Staff perform preliminary property research to determine if the property can be deemed surplus, and bring a report back to the Open Space and Regional Park Commission for possible recommendation to the Board of County Commissioners.

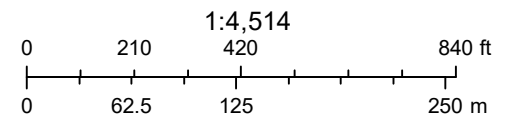


# Vicinity Map



February 28, 2018

  Washoe County Parcel # 039-220-21



Washoe County  
Washoe County GIS

This information for illustrative purposes only. Not be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.