



WASHOE COUNTY

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PARK COMMISSION STAFF REPORT

MEETING DATE: June 4, 2019

DATE: May 28, 2019

TO: Open Space and Regional Parks Commission

FROM: Sophia Kirschenman, Park Planner, Planning & Building Division, Community Services Department, 328-3623, skirschenman@washoecounty.us

THROUGH: Eric Crump, Operations Division Director, Community Services Department, 328-2182, ecrump@washoecounty.us

SUBJECT: Presentation, discussion, and possible recommendation to Community Services Department staff to negotiate an agreement to exchange Washoe County land (a portion of APN 038-100-34) for land owned by the River Bend Mobile Home Park and Storage, LLC (portions of APNs 038-112-02, 038-112-03, 038-112-04, and 038-112-12) for presentation and possible approval by the Washoe County Board of County Commissioners. (Commission District 5.)

SUMMARY

Washoe County, through its Community Services Department, has received an unsolicited proposal from River Bend Mobile Home Park and Storage, LLC (the "Applicant") to execute a boundary line adjustment (BLA) between Washoe County land (roughly 12.95 acres identified as APN 038-100-34), known as the "Riverbend" property, and adjacent land (roughly 11.65 acres identified as APNs 038-112-02, 038-112-03, 038-112-04, and 038-112-12) owned by the Applicant. These parcels are located along the Truckee River in Verdi, NV. If approved, this item would direct Washoe County staff, through its Community Services Department, to conduct the necessary due diligence (evaluation, negotiation, and agreements) to execute a BLA between these two properties, contingent on approval by the Washoe County Board of County Commissioners.

While there is room for negotiation, the Applicant's current proposal would result in the County owning roughly 7.22 acres of riverfront property that could be used to provide public access for fishing, walking, and biking along the Truckee River. The Applicant would cede all riverfront land to the County, but would obtain greater acreage (roughly 5.75 additional acres), thereby allowing the Applicant to utilize the larger parcel for mixed-use development in the future. If the County is amenable to this proposal, the Applicant has potentially agreed to have both of the resulting properties appraised and to pay the County the difference should the Applicant's property have higher value. These funds would then be available for other park projects or property acquisitions within Park District 1A.

The Riverbend property was acquired in 2011 utilizing funding from State Question One-Truckee River bond (SQ-1) and Washoe County Regional Parks, Trails and Open Space bond (WC-1) with the purpose of preserving open space and utilizing the area for passive recreation, including hiking,

fishing, river access, and future trail connectivity. At present, there is a trail along the portion of the Riverbend property closest to the river. However, due to steep slopes and the overall terrain of the property, the river is inaccessible and thus, the trail has primarily been used for walking. The property that the Applicant is hoping to exchange with the County contains gentler slopes and could be used for river access. Additionally, this exchange would extend the length of the existing trail, thereby improving the user experience for walkers and bikers.

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

PREVIOUS ACTION

November 8, 2011 – The Board of County Commissioners (BCC) approved the purchase the Riverbend property (then identified as APN 038-100-01, but currently known as APN 038-100-34) along the Truckee River near Verdi and the associated water rights to maintain as open space and utilize for passive recreation for roughly \$845,000.

October 25, 2011 – The BCC reviewed Amendment #2 to “Memorandum of Understanding – A Contract Between the State of Nevada Acting By and Through its Department of Conservation and Natural Resources and Washoe County, a Political Subdivision of the State of Nevada Acting By and Through its Parks and Recreation Department” to extend the funding contract on State Question 1 projects to June 30, 2014.

October 14, 2008 – The BCC authorized an amendment to an MOU between the State of Nevada and Washoe County to extend the funding contract on SQ-1 projects and accept draw number two in the amount of \$4,000.

November 25, 2003 – The BCC authorized the execution of the MOU and receipt of \$10,000,000 in SQ-1 bond payments to be paid in installments.

July 15, 2003 – The BCC approved the project list

April 15, 2003 – The BCC reviewed the process for choosing, scoring and prioritizing SQ-1 Truckee River projects.

November 14, 2000 – The BCC adopted the resolution for the 2000 WC-1 Bond Canvas authorizing issuance of bonds for regional parks, open space, and trails.

October 24, 2000 – The BCC approved the “Agreement Regarding November 2000 Parks, Trails and Open Space Bond Issue” between the county and the City of Reno.

April 25, 2000 – The BCC adopted the resolution, dollar value and WC-1 bond project list.

BACKGROUND

In 2011, Washoe County acquired the Riverbend property (then identified as APN 038-100-01 and currently identified as APN 038-100-34) utilizing \$422,500 from SQ-1 bond funds and \$422,500 from WC-1 bond funds. The use of SQ-1 funds to acquire a property requires that the property be maintained and used in a manner consistent with the regulations (NAC Section 321) adopted by the State. Per the regulations, lands acquired with SQ-1 funds can be used to protect and enhance

wildlife habitat, sensitive or unique vegetation, historic or cultural resources, riparian corridors, floodplains, wetlands and other environmental resources. On November 21, 2011, the County and the State of Nevada entered into a nonrevocable agreement to restrict the property. The agreement states that the property will only be used for open space, trailhead and trailhead amenities, which may include parking, kiosk and interpretive signs, restrooms, picnic tables and benches, and trail system purposes. Pursuant to the agreement, if the County were to violate the terms of the agreement and fail to take corrective action, the County would be required to offer to convey the property to the State. If the offer were to be rejected by the State, the County would then be required to offer to convey the property to each reasonably identifiable nonprofit conservation organization in the state.

Upon the direction of the Park Commission and as part of the necessary due diligence, the County would work with the State and with each reasonably identifiable nonprofit conservation organization in Nevada to amend the nonrevocable agreement. This would ensure that these agencies support the BLA and that the County's newly created parcel would be deed restricted in the same manner as the current parcel, while the Applicant's newly created parcel would be available for multi-use development.

The Riverbend property was originally meant to be used for hiking, biking, fishing, and river access. However, due to the steep slopes characterizing the property, the area has not been used for fishing or river access and has primarily been kept as open space. There is one trail that extends along the length of the property adjacent to the river, but the trail does not connect to the road, so staff believes that it has primarily been used by people living in the homes to the west and east of the parcel. This potential land exchange would leave the County with less acreage, but with more potential river connection points. Staff believes that this exchange would allow the property to serve as it was originally intended. In other words, the property could be used not only for walking and biking, but also for fishing and river access. Additionally, the potential BLA would protect an important riparian corridor.

FISCAL IMPACT

If the County is amenable to this proposal, the Applicant has potentially agreed to have both of the resulting properties appraised and to pay the County the difference should the Applicant's property have higher value. These funds would then be available for other park projects or property acquisitions within Park District 1A.

RECOMMENDATION

It is recommended that the Open Space and Regional Parks Commission recommend that Community Services Department staff negotiate an agreement to exchange Washoe County land (a portion of APN 038-100-34) for land owned by the River Bend Mobile Home Park and Storage, LLC (portions of APNs 038-112-02, 038-112-03, 038-112-04, and 038-112-12) for presentation and possible approval by the Washoe County Board of County Commissioners.

POSSIBLE MOTION

Should the Commission agree with staff's recommendation, a possible motion would be:

“Move to recommend that Community Services Department staff negotiate an agreement to exchange Washoe County land (a portion of APN 038-100-34) for land owned by the River Bend

Mobile Home Park and Storage, LLC (portions of APNs 038-112-02, 038-112-03, 038-112-04, and 038-112-12) for presentation and possible approval by the Washoe County Board of County Commissioners.”