

BILL NO. 2758

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

PCN19-0007 - Washoe County
School District

A GENERAL ORDINANCE PROVIDING FOR THE CITY OF SPARKS TO APPROVE A DEVELOPMENT AGREEMENT WITH WASHOE COUNTY SCHOOL DISTRICT CONCERNING THE DEVELOPMENT OF A SITE 330 ACRES IN SIZE GENERALLY LOCATED NORTH OF MCCARRAN BOULEVARD AND EAST OF SULLIVAN LANE, SPARKS, NEVADA AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Washoe County School District owns certain real property situated in the County of Washoe, State of Nevada more specifically described as Assessor's Parcel Number 027-011-08, more particularly described on Exhibit A and depicted on Exhibit B attached hereto and incorporated by this reference (collectively, the "Property");

WHEREAS, the City is authorized, pursuant to Chapter 278 of the Nevada Revised Statutes and Title 20 of the Sparks Municipal Code, to enter into agreements concerning the development of land such as this Agreement with persons having a legal or equitable interest in real property;

WHEREAS, Washoe County School District filed applications with the City of Sparks to develop a site for a public high school in the City of Sparks, more particularly described as City of Sparks Application Nos. PCN19-0007, DA-19-0001, CU19-0003, and CU19-0004 (collectively, the "Applications");

WHEREAS, the City, Washoe County School District (collectively, the "Parties") acknowledge that this Agreement will (i) promote the health, safety and general welfare of the City and its inhabitants, (ii) minimize uncertainty in planning for and securing orderly development of the Property and surrounding areas, (iii) ensure attainment of the maximum efficient utilization of resources within the City at the least economic cost to its citizens, and (iv) otherwise achieve the goals and purposes for which the laws governing development agreements were enacted;

WHEREAS, the Parties desire to enter this Agreement in order to provide for processing of the Applications and development of the Property; and WHEREAS, NRS 278.0203 and SMC 20.05.09 allow the Sparks City Council to approve a development agreement by ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The Development Agreement by and between the City of Sparks and Washoe County School District is approved.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the approved Development Agreement as provided by law.

SECTION 4: This ordinance shall become effective upon passage, approval, publication and recordation.

SECTION 5: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 6: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____, 2019, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RONALD E. SMITH, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY

LISA HUNDERMAN,
Acting City Clerk

CHESTER H. ADAMS,
City Attorney