



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: March 26, 2019

**DATE:** February 26, 2019

**TO:** Board of County Commissioners

**FROM:** Eric Crump, Operations Division Director  
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**THROUGH:** Dave Solaro, Arch., P.E., Assistant County Manager  
Community Services Department, 328-3600, [dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)

**SUBJECT:** Recommendation to: 1) Void Amendment #1 to Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and Washoe County Community Services Department for Phase V of the Lake Tahoe Bike Path Project previously approved at the December 18, 2018 Board of County Commission meeting; and 2) approve Amendment #1 to the Original Phase V Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and the Conservation and Resource Protection Grant Program and Washoe County Community Services Department – Regional Parks and Open Space for Phase V of the Lake Tahoe Bike Path Project to revise the Project Budget and Extension of Time [no fiscal impact to Washoe County]; and 3) authorize the Assistant County Manager [David Solaro] to execute the amendment and related documents. (Commission District 1.)

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### SUMMARY

On December 18, 2018, the Board of County Commissioners (Board) approved an amendment (Amendment #1) to a funding agreement between the State of Nevada through Division of State Lands and Washoe County. The State has provided Washoe County with an amendment that is different than what was approved on December 18, 2018, primarily in form, and also extends the ending term to December 31, 2019. The amendment to the agreement between the State of Nevada and Washoe County has not been executed. Approval of the amendment to the agreement changes the ending term from December 31, 2018 to December 31, 2019 (12 months) and reallocates funding amounts in project budget tasks without any change to the overall project budget.

Phase V of the Lake Tahoe Bike Path Project, otherwise known as the Nevada Stateline to Stateline Bike Facility Project, includes final engineering and construction (Phase II), of the North Demonstration Project-Incline to Sand Harbor, approximately three miles of path and visitor amenities; and the environmental analysis, preliminary engineering and potential final design of the Central Corridor-Sand Harbor to Hwy 50 (Phase III), approximately eight miles of path and visitor amenities.

When complete, the Lake Tahoe Bike Path Project will consist of a paved path from Crystal Bay (north shore at state line) to Stateline, Nevada (south shore) along the Nevada State Route 28 corridor and Highway 50. Five million dollars in funding was identified for

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implementation of the Lake Tahoe Bike Path project in the Nevada State Question-1 Bond Act of 2000, with a 50/50 match requirement. Washoe County agreed to be “responsible for overall coordination” of the Lake Tahoe Bike Path project in a Memorandum of Understanding between Washoe and Douglas Counties and Carson City, approved in 2004. Ten public agencies are working in cooperation to complete this ambitious project. Completion of the North Demonstration Project is anticipated in spring 2019. Washoe County is not a party to the construction contracts for Phase Four. Tahoe Transportation District (TTD) is responsible for implementation.

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

### **PREVIOUS ACTION**

On December 18, 2018, the Board approved Amendment #1 to Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and Washoe County Community Services Department for Phase V of the Lake Tahoe Bike Path Project to extend the term from December 31, 2018 to June 30, 2019 and revise the Project Budget [no fiscal impact to Washoe County]; and approve Amendment #1 to Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue – Lake Tahoe Bike Path Project Funding between Washoe County and Tahoe Transportation District to extend the obligation of funds from December 31, 2018 to June 30, 2019 and revise the Project Budget [no fiscal impact to Washoe County]; and authorized the Assistant County Manager [David Solaro] to execute all amendments and related documents.

On December 12, 2017, the Board accepted a grant [in the amount of \$2,150,528] from the Nevada Division of State Lands, Conservation and Resource Protection (SQ-1) Grant Program for Phase V of the Lake Tahoe Bike Path Project, retroactive from July 1, 2017 to December 31, 2018, [match of \$17,890,010 provided by Tahoe Transportation from various federal, state and local agencies]; and approved the “Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue-Lake Tahoe Bike Path Project Funding” between Washoe County and Tahoe Transportation District, retroactive to July 1, 2017 for the implementation of Phase V of the path; and authorized the Assistant County Manager [David Solaro] to execute all appropriate grant and Tahoe Transportation District related agreements and documents; and, directed the Comptroller’s Office to make all necessary budget amendments.

On November 12, 2014, the Board accepted a grant [in the amount of \$1.1 million] from the Nevada Division of State Lands, Conservation and Resource Protection (SQ-1) Grant Program for Phase IV of the Lake Tahoe Bike Path Project, retroactive from September 1, 2014 to December 31, 2017, [required match \$1.1 million from Federal Lands Access Program grant]; and approved the “Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue-Lake Tahoe Bike Path Project Funding” between Washoe County and Tahoe Transportation District, retroactive to November 1, 2014 for the implementation of Phase IV of the path; and authorized the Community Services Department Director to execute all appropriate grant and Tahoe Transportation District related agreements and documents, and directed the Comptroller’s Office to make all necessary budget adjustments.

On June 24, 2014, the Board approved the extension (to June 30, 2019) of the Interlocal Agreement between Washoe County, Carson City, Douglas County, Nevada State Lands,

Nevada State Parks, Tahoe Regional Planning Agency, Tahoe Transportation District, USDA Forest Service-Lake Tahoe Basin Management Unit, and Incline Village General Improvement District for the implementation of the Lake Tahoe Bike Path Project.

On June 26, 2012, the Board accepted an amendment to the Phase II & III State Question 1 grant, which increased the grant award by \$375,885.

On February 8, 2011, the Board acknowledged receipt of an update report on the status of the Nevada Stateline-to-Stateline Project (Lake Tahoe Bike Path), and provided comment on the Draft Environmental Assessment for the South Demonstration Project.

On August 28, 2007, the Board accepted a State Question 1 grant in the amount of \$1,252,516 to complete Phase II and III for environmental and engineering studies and to begin construction of the south demonstration area.

On December 12, 2006, the Board accepted a State Question 1 grant in the amount of \$146,956 for Phase I planning efforts.

On December 12, 2006, the Board approved an Interlocal Agreement between Washoe County, Carson City and Douglas County that made Washoe County responsible for the overall coordination of the Lake Tahoe Bike Path project.

On August 23, 2005, the Board approved a Resolution of Support for Question-1 grant applications.

On April 27, 2004, the Board approved a Memorandum of Understanding between Washoe and Douglas Counties and Carson City.

## **BACKGROUND**

In November 2002, Nevada voters approved Assembly Bill No. 9, or State Question-1, which makes Nevada State Bond funding available for trails, specifically identifying funding for "implementation or enhancement of the Lake Tahoe Bike Path." Five million dollars in funding was identified in the Nevada State Question-1 Bond. Funding is passed from State of Nevada to Washoe County through a series of grants based on the phases of design, engineering and construction. This is the final grant (provides the last of the \$5 million allocation) in a series of grants and covers Phase V.

TTD is the lead agency for implementation of the path. Nevada Revised Statutes 277.100 allows public agencies to contract with one another for the purpose of performing a variety of government services. The agreement allows Washoe County to pass grant funds to TTD for design, engineering and construction costs associated with Phase V implementation.

Washoe County Community Services Department staff continues to attend meetings with the Tri-Counties Working Group, Lake Tahoe Regional Planning Agency, USDA Forest Service, Nevada Department of Transportation, Nevada State Parks, Nevada State Lands, Tahoe Transportation District, Incline General Improvement District and interested parties to determine the best methods to implement the project. An Interlocal Agreement is in effect that allows the agencies to share resources, funding, consultant oversight, environmental review, participation in Working Group meetings, and perform a variety of public outreach tasks. On June 24, 2014, the Board extended the Interlocal Agreement between the 10 agencies involved with this project to June 30, 2019.

Project design included the preparation of a feasibility study that considered the full 30+ mile Nevada Stateline-to-Stateline Bikeway. This phase has been completed.

The project also included two, three-mile demonstration projects. The north demonstration project extends from Incline Village to Sand Harbor and the south demonstration project extends from Lake Parkway in Stateline, Nevada to Round Hill Pines Beach.

The South Demonstration Project has two segments completed and the North Demonstration Project is nearing completion.

### **FISCAL IMPACT**

Washoe County serves as a coordinating partner and fiscal agent for the State Question One (SQ-1) Lake Tahoe Bike Path Project. TTD is responsible for the project implementation and will receive value of the grant award through reimbursement payments from Washoe County. Funding is received by Washoe County from the State of Nevada, Division of State Lands.

Revenues and expenditures for the Phase V of the Lake Tahoe Bike Path Project were appropriated in FY 2018 under the Parks Capital Fund (404) and balances were carried over and reflected in the adopted FY19 Budget in IO11458 and PK900412 where there is sufficient budget authority.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners: 1) Void Amendment #1 to Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and Washoe County Community Services Department for Phase V of the Lake Tahoe Bike Path Project previously approved at the December 18, 2018 Board of County Commission meeting; and 2) approve Amendment #1 to the Original Phase V Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and the Conservation and Resource Protection Grant Program and Washoe County Community Services Department – Regional Parks and Open Space for Phase V of the Lake Tahoe Bike Path Project to revise the Project Budget and Extension of Time [no fiscal impact to Washoe County]; and 3) authorize the Assistant County Manager [David Solaro] to execute the amendment and related documents.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to: 1) Void Amendment #1 to Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and Washoe County Community Services Department for Phase V of the Lake Tahoe Bike Path Project previously approved at the December 18, 2018 Board of County Commission meeting; and 2) approve Amendment #1 to the Original Phase V Funding Agreement between the State of Nevada Acting by and through its Division of State Lands and the Conservation and Resource Protection Grant Program and Washoe County Community Services Department – Regional Parks and Open Space for Phase V of the Lake Tahoe Bike Path Project to revise the Project Budget and Extension of Time [no fiscal impact to Washoe County]; and 3) authorize the Assistant County Manager [David Solaro] to execute the amendment and related documents."