



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: June 19, 2018

**DATE:** May 18, 2018

**TO:** Board of County Commissioners

**FROM:** Ben Jesch, P.E., Licensed Engineer, Engineering and Capital Projects, Community Services Department, 954-4635, [bjesch@washoecounty.us](mailto:bjesch@washoecounty.us)

**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)

**SUBJECT:** Accept the following Tahoe Regional Planning Agency (TRPA) Mitigation funds and direct the Comptroller's Office to make the necessary budget amendments:

- 1) Air Quality Mitigation funds [in the amount of \$65,000] to buy out the remaining 50% federal grant share of the current fair market value of Washoe County's Tymco regenerative air, dustless, vacuum-assisted sweeper, used in the Tahoe Basin; and
- 2) Operations and Maintenance (O&M) Mitigation match funds [in the amount of \$35,000] for the Beowawie Road Slope Repair EIP Project to replace a failed retaining wall along Beowawie Road in Crystal Bay, Nevada. This funding requires 1:1 local match and will be matched with Washoe County General Funds [in the amount of \$15,000] and Washoe County Road Capital Funds [in the amount of \$20,000]. (Commission District 1.)

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### SUMMARY

Washoe County Community Services Department (CSD) continues its efforts to meet the Lake Tahoe Total Maximum Daily Load (TMDL) requirements established by the United States Environmental Protection Agency (EPA). The goal of the TMDL is to reduce the pollutant load in urban stormwater runoff that reaches Lake Tahoe, and in 2016, Washoe County updated an Interlocal Agreement (ILA) with Nevada Division of Environmental Protection (NDEP) affirming compliance with obligations and commitments towards achieving the TMDL load reduction. The projects and purposes supported by these TRPA Mitigation funds are in accordance with the County's obligations and commitments.

As part of the TMDL, Washoe County must maintain its roadways in a manner that prevents excessive pollutant loads from washing off the roads and entering Lake Tahoe. To do so, Washoe County Roads uses a fleet of regenerative air, dustless, vacuum-assisted sweepers. In 2010, Washoe County purchased a Tymco high-efficiency sweeper in the amount of \$261,221.00. The equipment was paid for 50-50 by U.S. Forest Service (USFS) Southern Nevada Public Lands Management Act (SNPLMA) grant funds and TRPA Water Quality Interest Mitigation funds. In September 2018, Washoe County's grant with USFS expires and the equipment must be disposed of. The sweeper has been properly maintained and remains in

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good condition; therefore, Washoe County intends to buy out the USFS share of the remaining value of the sweeper using TRPA Air Quality Mitigation funds.

Washoe County must also minimize sediment mobilized by runoff from erodible surfaces, such as road slopes. This sediment can make its way through the drainage system to the Lake and diminish water clarity. An existing retaining wall along Beowawie Road in Crystal Bay has failed due to extreme flood water runoff during and following the 2017 winter. The project area is located within 600 feet of Lake Tahoe, and a complete slope failure would have a negative effect on water quality. The Beowawie Road Slope Repair EIP Project will replace the wall using funding from TRPA O&M Mitigation funds. In accordance with the TRPA Mitigation fund guidelines, Washoe County must provide a minimum 1:1 local match for O&M Mitigation funding. For the match, the County will use General Fund dollars (in the form of design, surveying, and in-kind staff match [in the amount of \$15,000]) and Road Capital Fund dollars [in the amount of \$20,000].

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

### **PREVIOUS ACTION**

October 9, 2007 - The Board of County Commissioners (Board) authorized the request and acceptance of TRPA Water Quality Mitigation funds, if needed, to supplement any shortfalls in USFS grant funds up to \$1,000,000. It was understood in later actions that this included \$125,000 to cover 50% of the purchase of a sweeper.

June 22, 2010 – The Board approved a request to obtain bid proposals for the new regenerative air, dustless, vacuum-assisted street sweeper for use in the Crystal Bay/Incline Village area, funded 50% by the TRPA and 50% by a USFS grant.

October 12, 2010 – The Board awarded a bid for a new dustless regenerative-air sweeper to H&E Equipment Services [in the net amount of \$261,221.00], on behalf of the Equipment Services Division of the Washoe County Public Works Department.

May 10, 2011 – The Board accepted supplemental TRPA Water Quality Mitigation funds (interest portion) [in the amount of \$5,610.50] from TRPA to cover costs over the original estimate for the regenerative-air, dustless, vacuum-assisted street sweeper.

September 27, 2011 - The Board accepted grant funds from the USFS [\$130,610.50] for the Washoe County Sediment Reduction Project to cover costs for a regenerative air, dustless, vacuum-assisted street sweeper purchased for use in the Crystal Bay/Incline Village area and funded 50% by the TRPA and 50% by the U.S. Forest Service grant.

October 11, 2016 - The Board approved an update to an ILA between Washoe County and NDEP, which was originally approved in July 2013. The ILA affirms Washoe County's commitment to participate in an urban stormwater pollutant reduction program at Lake Tahoe. The ILA is a cooperative implementation of water quality improvement actions as opposed to a regulatory permit. The current Agreement is valid through 2021.

## **BACKGROUND**

In an effort to improve the water quality and transparency of Lake Tahoe, Washoe County has participated in the TRPA Environmental Improvement Program (EIP) in the Lake Tahoe Basin since the inception of the program. This has been done through the implementation of erosion control and water quality improvement projects and enhanced road maintenance practices within the County right-of-way to improve the water quality of urban storm runoff discharging to Lake Tahoe. Additionally, Washoe County participates in the Lake Tahoe TMDL, which, in Nevada, is implemented through an agreement approach. Upon entering into an ILA with NDEP in July 2013 (and updated October 2016), Washoe County agreed to implement and document the pollutant controls necessary to achieve credit targets that are based on the load reduction milestones established by the TMDL.

Washoe County must close out the USFS sweeper grant before the expiration date of December 2018. Since the sweeper is in good operable condition, Washoe County intends to buy out the USFS share of the Tymco sweeper. Because this sweeper is a regenerative air, dustless, vacuum-assisted unit, it qualifies to be funded with TRPA Air Quality Mitigation funds, per TRPA's Mitigation Fund Release Policies (Policies). Using these funds, the County will repay the USFS 50% of the current fair market value of the sweeper, as determined by approved quotations from equipment vendors. The USFS sweeper buyout and grant closeout will occur by or before December 2018; however, in accordance with TRPA's Policies for use of the TRPA Air Quality funds, the County commits to funding the ongoing maintenance of the sweeper for the reasonable life of the equipment.

The Beowawie retaining wall was originally installed as part of a Nevada Division of State Lands grant-funded "Erosion Control Project" constructed in 1988. This project was similar to an EIP project but pre-dated the TRPA EIP program, which began in 1997. Because the Beowawie Road Slope Repair EIP project will be replacing a retaining wall that was originally installed as part of an Erosion Control/EIP project, it qualifies for funding from the TRPA O&M Mitigation funds, per TRPA's Policies.

The Board of County Commissioners and the TRPA Governing Board must approve the funding before it can be encumbered and accepted by the County. The TRPA Board approved the release of Washoe County Mitigation Funds in the amount of \$100,000 on May 23, 2018. The funds released include \$65,000 from Air Quality funds to be used for the Tymco Sweeper buyout, and \$35,000 from O&M funds for the Beowawie Road Slope Repair EIP Project.

**GRANT AWARD SUMMARY**

**Project/Program Name:** (1) Tymco Sweeper Buyout  
(2) Beowawie Road Slope Repair

**Scope of the Project:** (1) Buy out remaining 50% of the federal share of a Tymco sweeper used in the Tahoe Basin;  
(2) Repair existing retaining wall along Beowawie Road in Crystal Bay which sustained significant damage due to severe storms during 2017 winter.

**Benefit to Washoe County Residents:** Continued effort to reduce pollutants entering Lake Tahoe.

**On-Going Program Support:** Washoe County Roads Division will continue to be responsible for operation and maintenance of the Tymco sweeper for the remainder of its useful life.

**Award Amount:** (1) \$65,000  
(2) \$35,000

**Grant Period:** Term begins upon Board acceptance of the TRPA funds and ends when the funds have been expended and projects are complete.

**Funding Source:** Tahoe Regional Planning Agency (TRPA) Air Quality Mitigation Funds and Operation & Maintenance Mitigation Funds.

**Pass Through Entity:** N/A

**CFDA Number:** N/A

**Grant ID Number:** N/A

**Match Amount and Type:** 1:1 match (required only for the \$35,000 O&M Funds) will be provided from the Roads Special Revenue Fund (\$20,000) and the General Fund through Engineering & Capital Projects (\$15,000). The Engineering portion may be partially funded with in-kind support.

**Sub-Awards and Contracts:** The CSD will enter into a construction contract for the Beowawie Road slope repair. There also may be purchase orders issued for professional services, materials testing, etc.

**FISCAL IMPACT**

Should the Board accept the TRPA Air Quality Mitigation Funds [\$65,000] and the TRPA Operation & Maintenance Mitigation Funds [\$35,000], the following increases to both revenues and expenditures will be made in the Roads Special Revenue Fund (216):

|                |  |          |
|----------------|--|----------|
| IN19084-484195 | TRPA AQM Tymco Sweeper-Non-Gov't Grants          | \$65,000 |
| IN19084-781004 | TRPA AQM Tymco Sweeper -Equipment Capital        | \$65,000 |
| IN11482-484195 | TRPA Beowawie Retaining Wall-Non Gov't Grants    | \$35,000 |
| IN11482-781001 | TRPA Beowawie Retaining Wall-Land Imprv. Capital | \$35,000 |

The County Roads Division will continue to be responsible for operation and maintenance costs associated with the Tymco sweeper, which has been well maintained and has several years of useful life remaining. The average cost for asset management, operation & maintenance and fuel for this equipment over the past three years has been approximately \$10,000 annually and is included in the Roads annual budget.

The TRPA funding for the Beowawie Slope Repair requires a 1:1 match. The Roads Special Revenue Fund will commit \$20,000 from the FY19 Roads Capital cost center 216003, account 781003- Road Bridge Capital. The CSD Engineering and Capital Projects Division will support the project with \$15,000 which will be a combination of cash from cost center 105500 account 710200-service contracts, and in-kind staff support. The combination of resources from TRPA, the Roads Fund and the General Fund will allow the repair work to occur this summer, ideally before future storm events can cause further erosion and damage.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners accept the following Tahoe Regional Planning Agency (TRPA) Mitigation funds and direct the Comptroller's Office to make the necessary budget amendments:

- 1) Air Quality Mitigation funds [in the amount of \$65,000] to buy out the remaining 50% federal grant share of the current fair market value of Washoe County's Tymco regenerative air, dustless, vacuum-assisted sweeper, used in the Tahoe Basin; and
- 2) Operations and Maintenance (O&M) Mitigation match funds [in the amount of \$35,000] for the Beowawie Road Slope Repair EIP Project to repair an existing retaining wall along Beowawie Road in Crystal Bay, Nevada. This funding requires 1:1 local match and will be matched with Washoe County General Funds [in the amount of \$15,000] and Washoe County Road Capital Funds [in the amount of \$20,000].

### **POSSIBLE MOTION**

Should the Board of County Commissioner agree with staff's recommendation a possible motion would be: "Move to accept the following Tahoe Regional Planning Agency (TRPA) Mitigation funds and direct the Comptroller's Office to make the necessary budget amendments:

- 1) Air Quality Mitigation funds [in the amount of \$65,000] to buy out the remaining 50% federal grant share of the current fair market value of Washoe County's Tymco regenerative air, dustless, vacuum-assisted sweeper, used in the Tahoe Basin; and
- 2) Operations and Maintenance (O&M) Mitigation match funds [in the amount of \$35,000] for the Beowawie Road Slope Repair EIP Project to repair an existing retaining wall along Beowawie Road in Crystal Bay, Nevada. This funding requires 1:1 local match and will be matched with Washoe County General Funds [in the amount of \$15,000] and Washoe County Road Capital Funds [in the amount of \$20,000]."