



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: **January 14, 2020**

**DATE:** December 13, 2019

**TO:** Board of County Commissioners

**FROM:** Sophia Kirschenman, Park Planner,  
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**THROUGH:** Eric Crump, Operations Division Director  
Community Services Department, 328-3625, [ecrump@washoecounty.us](mailto:ecrump@washoecounty.us)

**SUBJECT:** Public hearing pursuant to NRS 277.050, to consider any objections to the Resolution of Intent to execute an easement agreement and easement deed between Washoe County and TMWA for a water facilities easement totaling  $\pm 3,734$  square feet and a temporary construction easement totaling  $\pm 8,206$  square feet on APN 152-430-18, part of Arrowcreek Open Space [at the negotiated value of \$3,734]; possible approval of said easement agreement and easement deed; and, if approved, authorize the Chair to execute the agreement and deed to that effect. (Commission District 2.)

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### SUMMARY

Washoe County owns a  $\pm 85.4$ -acre parcel (APN 152-430-18) situated  $\pm 0.25$  miles southwest of Arrowcreek Park, adjacent to Thomas Creek. The subject parcel is part of Washoe County's larger Arrowcreek Open Space area, which expands westward and northward from the parcel in question. A portion of the Lower Thomas Creek Trail traverses the parcel, meandering along the creek. Additionally, the Truckee Meadows Water Authority (TMWA) owns a property (APN 152-430-19) that is primarily bounded by the subject parcel, save a small portion of the TMWA property which borders Arrowcreek Golf Course. The TMWA property is developed with several water facilities, including STMGID 5 and 6 Wells, which were transferred from Washoe County to TMWA during the merger in 2015. TMWA has an existing easement through a portion of the Arrowcreek Open Space property to provide access to these facilities.

TMWA is requesting an additional water facilities easement to allow for the construction, installation, and maintenance of a pump to waste drain line and rock-lined channel. These improvements would bring STMGID 6 Well into compliance with current Nevada Administrative Codes (NAC).

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

### PREVIOUS ACTION

On December 10, 2019, the Board of County Commissioners adopted Resolution R19-070, declaring its intent to execute the subject easement agreement and easement deed pursuant to NRS 277.050.

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

On December 3, 2019, the Open Space and Regional Park Commission reviewed the water facilities easement agreement and easement deed in question, and voted unanimously in support of approval.

On July 22, 2014, the Board of County Commissioners (BCC) adopted Resolution No. 09-1316 approving the interlocal agreement governing the merger of the Washoe County Department of Water Resources' Water Utility into TMWA. Subsequent agreements allowed for the transfer of Washoe County water facilities, including STMGID 6 Well, to TMWA.

On September 13, 1999, the BCC approved a grant, bargain, and sale deed between Washoe County and Southwest Pointe Associates, LLC for the acquisition of what is currently identified as APN 152-430-18.

### **BACKGROUND**

In 2014 and 2015, the Washoe County Department of Water Resources' Water Utility merged into TMWA. This included transferring many of Washoe County's water facilities to TMWA, such as STMGID 5 and 6 Wells, which are currently located on APN 152-430-19, a parcel primarily surrounded by Washoe County's Arrowcreek Open Space. As part of the merger, Washoe County also provided TMWA with a number of easements to access the newly-acquired water facilities, including an easement which crosses Arrowcreek Open Space to provide access to the water facilities on APN 152-430-19.

TMWA is now requesting an additional water facilities easement, totaling  $\pm 3,734$  square feet to allow for the construction and maintenance of a pump to waste drain line and rock-lined channel. These STMGID 6 Well improvements are required by current NAC codes. Additionally, TMWA is requesting a temporary construction easement, totaling  $\pm 8,206$  square feet to allow for the installation of said water facilities improvements. If approved, the temporary construction easement would expire upon completion of the improvements or within six (6) months from the date of the recording of the easement deed in the office of the Washoe County Recorder, whichever occurs first.

Under the agreement, construction shall only occur between 8:00 am and 7:00 pm, Monday through Friday, to mitigate noise impacts on surrounding property owners, golfers, and trail users. TMWA will also be required to secure any Nevada Department of Environmental Protection permits prior to construction of the water facilities improvements, as necessary. Additionally, the agreement requires TMWA to revegetate and hydroseed the disturbed area utilizing a native seed mix and to monitor revegetation efforts to ensure that minimum revegetation coverage criteria are met. If revegetation efforts are unsuccessful, additional hydroseeding applications shall be required.

The Community Services Department has determined that the proposed project is compliant with the approved Washoe County Parkland Easement Policy as it is complementary with other planned and existing park uses at the subject site, and there is no feasible or prudent alternative.

**FISCAL IMPACT**

Should the easement be approved, proceeds of \$3,734.00 will be deposited into the Parks Capital Fund (404), District 1C South Valley (900130).

Purchase of the easement, construction, revegetation maintenance, and permitting associated with the project would be the responsibility of the TMWA.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners hold a public hearing pursuant to NRS 277.050, to consider any objections to the Resolution of Intent to execute an easement agreement and easement deed between Washoe County and TMWA for a water facilities easement totaling  $\pm 3,734$  square feet and a temporary construction easement totaling  $\pm 8,206$  square feet on APN 152-430-18, part of Arrowcreek Open Space [at the negotiated value of \$3,734]; approve said easement agreement and easement deed; and, if approved, authorize the Chair to execute the agreement and deed to that effect.

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve an easement agreement and easement deed between Washoe County and TMWA for a water facilities easement totaling  $\pm 3,734$  square feet and a temporary construction easement totaling  $\pm 8,206$  square feet on APN 152-430-18, part of Arrowcreek Open Space [at the negotiated value of \$3,734]; and authorize the Chair to execute the agreement and deed to that effect."