



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: April 13, 2021

DATE: March 26, 2021

TO: Board of County Commissioners

FROM: Sophia Kirschenman, Park Planner,
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THROUGH: Eric Crump, Operations Division Director
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SUBJECT: Public hearing pursuant to NRS 277.050, to consider any objections to the Resolution of Intent to execute an amended easement agreement and amended easement deed between Washoe County and the Truckee Meadows Water Authority to change an existing access and water facilities easement from $\pm 11,802$ square feet to $\pm 20,425$ square feet and to amend the terms of a temporary easement totaling $\pm 23,588$ square feet to allow for the construction, installation and maintenance of a temporary below-ground waterline on APN 534-521-01, part of Sugarloaf Peak Open Space [at the additional appraised value of \$1,485.00]; possible approval of said amended easement agreement and amended easement deed; and, if approved, authorize the Chair to execute the amended agreement and amended deed to that effect. (Commission District 4.) (For Possible Action.)

SUMMARY

Nevada Revised Statute 277.050 authorizes the Board of County Commissioners (Board) to sell to another public agency any real property belonging to it, by adopting a resolution declaring its intention to sell and to hold a public hearing to consider objections to the proposed easement agreement. The Board adopted Resolution R21-006 on April 14, 2021 and set the public hearing on this matter for April 27, 2021.

The Truckee Meadows Water Authority (TMWA) owns certain real property, currently identified APN 534-521-02, which is surrounded by Washoe County's Sugarloaf Peak Open Space, currently identified as APN 534-521-01. TMWA's parcel contains a water tank, the Spring 6 Creek Tank. In 2020, Washoe County granted TMWA an access and water facilities easement, totaling $\pm 11,802$ square feet across Washoe County's Sugarloaf Peak Open Space for the purpose of constructing, installing, and maintaining a new underground waterline and access road to provide system redundancy and potable water supply to the Harris Ranch subdivision. Washoe County also granted TMWA a temporary construction easement, totaling $\pm 23,588$ for the installation of these facilities. TMWA is now requesting an expansion of the permanent access and water facilities easement area from $\pm 11,802$ square feet to $\pm 20,425$ square feet to accommodate engineering requirements. They are also requesting an amendment to the terms of the

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temporary easement to allow for the construction, installation, and maintenance of a temporary below-ground water pipeline to support the Harris Ranch construction project.

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

PREVIOUS ACTION

April 14, 2021 – The Board adopted a Resolution of Intent (R21-006) to execute an amended easement agreement and amended easement deed between Washoe County and the Truckee Meadows Water Authority to change an existing access and water facilities easement from $\pm 11,802$ square feet to $\pm 20,425$ square feet and to amend the terms of a temporary easement totaling $\pm 23,588$ square feet to allow for the construction, installation and maintenance of a temporary below-ground waterline on APN 534-521-01, part of Sugarloaf Peak Open Space; and set a public hearing on this matter for April 27, 2021.

April 6, 2021 – The Washoe County Regional Parks and Open Space Commission recommended that the Board of County Commissioners approve an amended easement agreement and amended easement deed to change an existing access and water facilities easement from $\pm 11,802$ square feet to $\pm 20,425$ square feet and to amend the terms of a temporary easement on APN 534-521-01, part of Sugarloaf Peak Open Space.

January 28, 2020 – The Board held a public hearing and approved an easement agreement and easement deed between Washoe County and TMWA for an access and water facilities easement totaling $\pm 11,802$ square feet and a temporary easement totaling $\pm 23,588$ square feet on APN 534-521-01, part of Sugarloaf Peak Open Space.

January 14, 2020 – The Board adopted a Resolution of Intent (R20-001) to execute an easement agreement and easement deed between Washoe County and TMWA for an access and water facilities easement totaling $\pm 11,802$ square feet and a temporary easement totaling $\pm 23,588$ square feet on APN 534-521-01, part of Sugarloaf Peak Open Space.

January 7, 2020 – The Open Space and Regional Park Commission recommended that the Board approve an easement agreement and easement deed between Washoe county and TMWA for an access and water facilities easement totaling $\pm 11,802$ square feet and a temporary easement totaling $\pm 23,588$ square feet on APN 534-521-01, part of Sugarloaf Peak Open Space.

June 12, 2007 – The Board accepted two quitclaim deeds, which dedicated the Sugarloaf Peak Open Space area to Washoe County.

BACKGROUND

Under Nevada Revised Statute 277.050, the Board may sell to another public agency any real property belonging to it. Washoe County owns certain real property, currently identified as APN 534-521-01, part of Sugarloaf Peak Open Space, located approximately one (1) mile east of Pyramid Highway in Spanish Springs, Nevada. This parcel is characterized by a trail that traverses the property, culminating at the top of the peak. Additionally, the Truckee Meadows Water Authority (TMWA) owns a parcel, currently identified as APN 534-521-02, surrounded by Sugarloaf Peak Open Space. The TMWA property contains a water tank, called the Spring Creek Tank 6. In addition to an existing access, waterline and slope maintenance easement, last year Washoe County

granted TMWA a second access and water facilities easement to allow for the construction, installation, and maintenance of a new underground waterline and access road on Sugarloaf Peak Open Space to provide system redundancy and potable water supply to the approved Harris Ranch subdivision.

The second access and water facilities easement was required as the waterline that runs through the subdivision to the west of Sugarloaf Peak Open Space does not have the capacity to serve the Harris Ranch subdivision on top of its current demand. Additionally, the Pebble Creek Subdivision, on the west side of Pyramid Highway, has an existing water system. However, due to pressure differences, this lower pressure water system is unable to serve the higher pressure zone in which the Harris Ranch subdivision will be located. As such, TMWA found that there was no feasible alternative for providing municipal water supply to this area.

The larger permanent easement footprint is being requested due to additional Washoe County width requirements for the drainage ditch alongside the access road. According to TMWA, this requirement was unknown at the time that the original easement was granted. Once built, the new access road can also be used by the public to connect to the existing trail system. This connection would allow residents of the future Harris Ranch subdivision and the broader public to have another trail access point, thereby improving recreational opportunities in this area. This additional road/trail alignment is consistent with the terms of the deed that conveyed Sugarloaf Peak Open Space to the County as well as the Washoe County Parkland Easement Policy.

Further, TMWA is requesting an amendment to the temporary construction easement they were granted last year to also allow for the installation and maintenance of an additional temporary underground waterline to support construction activities for the Harris Ranch subdivision. The footprint of the temporary easement would remain the same ($\pm 23,588$ square feet) and would expire in 24 months. The temporary waterline was originally proposed to be an above-ground waterline, but due to the length of time required for the construction water use, the construction water pipeline would be installed below ground to reduce disturbance and attractive nuisance potential.

Sugarloaf Peak Trail users may experience some minor noise and visual impacts during construction, but the trail system will not be impeded or closed during this time. To mitigate noise impacts on neighboring properties, construction hours will be limited to Monday – Friday from 8:00 am – 7:00 pm. Additionally, TMWA will revegetate the area according to an approved revegetation plan.

Consistency with the Washoe County Parkland Easement Policy

Staff have determined that the proposed easement is consistent with the Parkland Easement Policy as there are no feasible or prudent alternatives and the project is complementary with existing park uses as the subject site.

FISCAL IMPACT

Should the easement amendment be approved, proceeds of \$1,485.00 will be deposited into the Parks Capital Fund (404), District 2C Spanish Springs-East Truckee (900280).

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

RECOMMENDATION

It is recommended that the Board of County Commissioners hold hearing pursuant to NRS 277.050, to consider any objections to the Resolution of Intent to execute an amended easement agreement and amended easement deed between Washoe County and the Truckee Meadows Water Authority to change an existing access and water facilities easement from $\pm 11,802$ square feet to $\pm 20,425$ square feet and to amend the terms of a temporary easement totaling $\pm 23,588$ square feet to allow for the construction, installation and maintenance of a temporary below-ground waterline on APN 534-521-01, part of Sugarloaf Peak Open Space [at the additional appraised value of \$1,485.00]; approve said amended easement agreement and amended easement deed; and, if approved, authorize the Chair to execute the amended agreement and amended deed to that effect.

POSSIBLE MOTION

Should the Commission agree with staff's recommendation, a possible motion would be: "Move to approve an amended easement agreement and amended easement deed between Washoe County and the Truckee Meadows Water Authority to change an existing access and water facilities easement from $\pm 11,802$ square feet to $\pm 20,425$ square feet and to amend the terms of a temporary easement totaling $\pm 23,588$ square feet to allow for the construction, installation and maintenance of a temporary below-ground waterline on APN 534-521-01, part of Sugarloaf Peak Open Space [at the additional appraised value of \$1,485.00]; and authorize the Chair to execute the amended agreement and amended deed to that effect."