



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: December 13, 2022

DATE: October 19, 2022

TO: Board of County Commissioners

FROM: Eric Crump, Operations Division Director
Community Services Dept., 328-3625, ecrump@washocounty.gov

THROUGH: Dave Solaro, Arch., P.E., Assistant County Manager

SUBJECT: Recommendation to approve Amendment #5 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project (Parks-WC-1) for Phase 4 of the Lake Tahoe Bike Path Project (State Route 28 corridor) between Washoe County and Tahoe Transportation District (TTD) to extend the end term from December 31, 2022 to December 31, 2026 [no additional cost to Washoe County for Amendment #5]; and authorize Assistant County Manager (Dave Solaro) to execute the Amendment #5 and all appropriate Tahoe Transportation District related agreements and documents. (Commission District 1.)

SUMMARY

On June 6, 2021, the Board approved Amendment #4 to the Agreement Regarding November 2000 Parks, Trails, and Open Space Bonds-Lake Tahoe Bike Path Project [WC-1] for Phase 4 of the Lake Tahoe Bike Park Project between Washoe County and Tahoe Transportation District (TTD) to extend the end term from June 30, 2021, to December 31, 2022. Due to the COVID-19 pandemic and staff shortages, some of the project elements have taken longer than expected. Tahoe Transportation District has entered into a Cooperative (Local Public Agency) Agreement with the State of Nevada for State Route 28 North Parking, Sidewalk and Water Quality Improvements; thus, allowing Tahoe Transportation District (TTD) to piggyback planned overflow parking with road improvements to SR28 scheduled over the next several construction seasons. The improvements will include approximately 30 parking spaces north of the existing Tahoe East Shore trailhead parking, a connecting pedestrian path from parking to the Tahoe East Shore Trail and associated water quality improvements.

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 along with improved parking. Washoe County agreed to be “responsible for overall coordination” of the Lake Tahoe Bike Path project in a Memorandum of Understanding (MOU) between Washoe and Douglas Counties and Carson City, approved in 2004.

Tahoe Transportation District (TTD) is responsible for construction implementation. Washoe County is not a party to the construction contracts for Phase Four.

AGENDA ITEM # _____

Washoe County Strategic Objective supported by this item: Fiscal Sustainability: Long-term sustainability.

PREVIOUS ACTION

On June 6, 2021, the Board of County Commissioners (Board) approved Amendment #4 to the Agreement Regarding November 200 Parks, Trails, and Open Space Bonds-Lake Tahoe Bike Path Project [WC-1] for Phase 4 of the Lake Tahoe Bike Path Project between Washoe County and Tahoe Transportation District (TTD) to extend the end term from June 30, 2021 to December 31, 2022

On April 27, 2021, the Board disapproved Amendment #4 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project [Parks-WC-1] for Phase 4 of the Lake Tahoe Bike Path Project between Washoe County and Tahoe Transportation District (TTD) for authorization of the use of remaining WC-1 Funds in the amount of [\$285,000] and prior disbursement of [\$41,136.67] for expenses associated with the purchase, planning, design and development of the old Incline Elementary School at 771 Southwood Blvd, Incline Village, Nevada; and to extend the end term from June 30, 2021 to December 31, 2021.

On June 23, 2020, the Board approved Amendment #3 to the Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project extending the end term date from June 30, 2020 to June 30, 2021.

On June 25, 2019, the Board approved Amendment #2 to the Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project extending the end term date from June 30, 2019 to June 30, 2020.

On May 21, 2019, the Board approved the Capital Improvement Plan (CIP) for Fiscal Years 2020-2024.

On August 8, 2017, the Board approved Amendment #1 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project [Parks-Cw-1 \$400,000] for Phase 4 of the Lake Tahoe Bike Path Project between Washoe County and Tahoe Transportation District.

On March 24, 2015, the Board approved an Agreement Regarding November 2000 Parks, Trails and Open Space Bond-Lake Tahoe Bike Path Project [WC-1 in an amount not to exceed \$1 million] for Phase 4 of the Lake Tahoe Bike Path Project between Washoe County and Tahoe Transportation District effective March 24, 2015 through June 30, 2019; authorized the Community Services Department Director to execute the Agreement and all appropriate Tahoe Transportation District related agreements and documents; and, directed the Comptroller's Office to make all necessary budget adjustments.

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) Program and approved an agreement between Washoe County and Tahoe Transportation District for the implementation of Phase 4 of the Lake Tahoe Bike Path Project.

On November 12, 2014, The Board approved "Federal Lands Access Program Project Memorandum of Agreement" leveraging \$12.5 million in Federal Lands Access Program funds for the design and construction of improvements in the SR 28 corridor including the Nevada Stateline to Stateline Bikeway (known as the Lake Tahoe Bike Path).

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 2 & 3 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 2 & 3 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-1 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 the November 2000 election, voters approved WC-1, authorizing the sale of bonds for the purpose of acquiring, improving and equipping parks, trails and open space. The Board approved a specific project list on April 25, 2000, which included the Incline-Sand Harbor Bike Path, (aka the Lake Tahoe Bike Path, the North Demonstration Project or the Nevada Stateline to Stateline Bikeway Project). Nine public agencies are working in cooperation to complete this ambitious project, including funding requirements, design, construction, and maintenance of the bikeway.

TTD is the lead agency for implementation of Phase Four development. Nevada Revised Statutes 277.100 allows public agencies to contract with one another for the purpose of performing a variety of government services.

Washoe County has a current agreement (approved on March 24, 2015, expiring December 31, 2022) with Tahoe Transportation District for the implementation of Phase 4 of the Lake Tahoe Bike Path Project. Amendment #1 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project provided an additional \$400,000 to the existing \$1 million commitment for Phase 4 of the Lake Tahoe Bike Path Project. The funding source for the amendment and original contract is Parks WC-1 bonds and is for the North Demonstration Project, located in Washoe County and includes final design, engineering and construction of 3- miles of paved path from Incline Village to Sand Harbor along SR-28, and three new parking lots, totaling 90-100 off-highway spaces.

Parks WC-1 funds leverage over \$1.4 million in State Question 1 (SQ-1) funding as well as approximately \$12.5 million in Federal Lands Access Program funds (not passed through Washoe County) to complete construction of this phase of the intermodal trail. 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.

Amendment #5 to the agreement extends the end term to December 31, 2026. This end term aligns with the end term of the Cooperative (Local Public Agency) Agreement between TTD and the State of Nevada for State Route 28 North Parking, Sidewalk and Water Quality Improvements. The Cooperative (Local Public Agency) Agreement between TTD and the State of Nevada provides TTD with \$1,176,206 in Federal Transportation Alternatives Program (TAP) funds and \$250,976 in Federal Highway Infrastructure Program (HIP) funds and will be used to design and construct approximately 30 parking spaces, a pedestrian path and associated water quality improvements on State Route 28 just north of the Tahoe East Shore trailhead parking.

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, 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.

FISCAL IMPACT

The WC-1 Lake Tahoe Bike Path Phase 4 Project is a previously approved project in the Parks Capital Fund 404. The total project cost was \$1,400,000.00, to date TTD has received \$1,115,000. There is sufficient budget authority in FY23 for the remaining \$285,000.00 in the Parks Capital Fund 404, WC-1 Lake Tahoe Bike Phase 4 (PK905122), Payments to Other Agencies (710400). Any unused funds after the agreement term ends will remain restricted in the Parks Capital Fund (404) in accordance to the WC-1 parameters.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve Amendment #5 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project (Parks-WC-1) for Phase 4 of the Lake Tahoe Bike Path Project (State Route 28 corridor) between Washoe County and Tahoe Transportation District (TTD) to extend the end term from December 31, 2022 to December 31, 2026 [no additional cost to Washoe County for Amendment #5]; and authorize Assistant County Manager (Dave Solaro) to execute the Amendment #5 and all appropriate Tahoe Transportation District related agreements and documents.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve Amendment #5 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project (Parks-WC-1) for Phase 4 of the Lake

Tahoe Bike Path Project (State Route 28 corridor) between Washoe County and Tahoe Transportation District (TTD) to extend the end term from December 31, 2022 to December 31, 2026 [no additional cost to Washoe County for Amendment #5]; and authorize Assistant County Manager (Dave Solaro) to execute the Amendment #5 and all appropriate Tahoe Transportation District related agreements and documents.