



# WASHOE COUNTY

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## STAFF REPORT

**BOARD MEETING DATE:** August 23, 2022

**DATE:** July 1, 2022

**TO:** Board of County Commissioners

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

**THROUGH:** Dave Solaro, Arch., P.E., Assistant County Manager  
Community Services Department, 328-3600, [dsolaro@washoecounty.gov](mailto:dsolaro@washoecounty.gov)

**SUBJECT:** Recommendation to: 1) accept the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security "Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project" grant [in the amount of \$450,000.00 with a Washoe County cash/in-kind match in the amount of \$150,000.00]; and 2) approve the Grant Award Letter with a retroactive grant period from September 20, 2021 through August 20, 2023; and 3) authorize the Assistant County Manager [Dave Solaro] to sign any subsequent documents related to the grant on behalf of the County; and 4) direct the Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)

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### SUMMARY

This item recommends acceptance of a Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project grant in the amount of \$450,000.00, with a County match of \$150,000.00 from the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security awarded on June 22, 2022. The funding will be used for professional services agreements to plan, analyze and design development in support of full design drawings and specifications for the successful future bidding and construction of projects. Professional Services Agreements will include a preliminary design, final design and permitting as required.

Acceptance of this grant funding will allow for development of plans and projects to address the need for additional and expanded retention and detention areas, including enhanced stormwater conveyance system improvements. Funding will allow for identification and planning for upstream sedimentation basins, and will allow for the enhancement, creation and planning for new wildlife and wetlands areas within the Lemmon Valley closed hydrobasin.

County Priority/Goal supported by this item: Fiscal Sustainability: Long-term sustainability.

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

## **PREVIOUS ACTION**

On October 12, 2021, the Board of County Commissioners (Board) accepted the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security “Lemmon Valley Home Acquisitions Phase I” grant award [in the amount of \$1,034,981.25 with a Washoe County cash/in-kind match in the amount of \$344,993.75] for the purpose of purchasing certain residential properties located in the Lemmon Valley area of Washoe County, removing all existing structures, buildings, materials and debris, thereby returning these parcels to vacant open space that are further deed restricted to prevent any future development; and approved the Subrecipient Grant Award agreement with a grant period retroactive from August 7, 2020 through August 6, 2023, directed the Comptroller’s Office to make the necessary budget amendments; designated the County Manager as the authorized representative with the authority to enter into and execute all necessary construction and purchase agreements for the properties, identified as APN 086-303-22 in a purchase amount not to exceed [\$227,000.00], APN 086-305-01 in a purchase amount not to exceed [\$132,500.00], APN 080-301-08 in a purchase amount not to exceed [\$354,000.00], APN 086-523-07 in a purchase amount not to exceed [\$228,000.00], and APN 086-523-01 in a purchase amount not to exceed [\$145,000.00].

July 14, 2020 – The Board heard a presentation regarding the status of the Lemmon Valley Closed Hydrobasins short and long term mitigation strategies and provided policy direction to initiate the revision of the current FEMA designated flood plain boundary and pool elevation for the East and West Lemmon Valley Closed Hydrobasins and to increase volumetric mitigation of new development located within a 100-year FEMA designated floodplains to 1.3:1 (removal:placement).

September 24, 2019 – The Board approved a resolution to augment the Capital Improvement Fund in the amount of \$2,500,000 for projects related to current and future mitigation of flood/storm water impacts in the North Valleys, as directed by the Board on August 27, 2019.

April 23, 2019 – The Board retroactively authorized the emergency purchase of the temporary flood mitigation system from US Flood Control Corp [in the amount of \$210,909], to protect residential homes most vulnerable to immediate water elevation increases of Swan Lake in the areas of Pompe Way and Shane Way in Lemmon Valley. The purchase was conducted pursuant to NRS 332.112 and 338.011.

April 9, 2019 – The Board provided a recommendation to discuss and provide policy direction to staff related to the closed East Lemmon Valley Hydrographic Basin to include next steps to address lasting elevated lake levels.

April 9, 2019 – The Board authorized Assistant County Manager, Dave Solaro, to enter into all necessary emergency agreements and construction contracts for the continued development and implementation of the 2019 mitigation and response measures associated with the Lemmon Valley Wastewater Treatment Plant for access road and berm improvements [not to exceed \$500,000], and for seepage, bypass, and backup pumping systems associated with the treatment plant and collection system [not to exceed \$150,000], pursuant to NRS 332.112 and 338.011.

December 12, 2017 – The Board acknowledged receipt of an update on the 2017 North Valleys Flood Incident; directed staff to submit Federal Emergency Management Agency

(FEMA) Hazard Mitigation Grant applications for the proposed purchase of specific residences located within the Swan Lake FEMA designated floodplain that were impacted by the 2017 presidentially declared February 2017 flood; and approved the transfer of up to \$300,000 as needed from contingency funds to the Capital Improvement Fund for the construction of additional temporary flood barriers in the Swan Lake area.

September 12, 2017 – The Board affirmed the continued flood response activities related to the 2017 January and February floods and directed staff to initiate the development of a flood response plan for North Valleys closed hydro-basins, a flood mitigation plan for North Valleys closed hydro-basins and to pursue the application process for a FEMA Hazard Mitigation Grant, for the possible purchase of specific residences located within the Swan Lake floodplain that were impacted by the 2017 presidentially declared February flood.

June 27, 2017 – The Board approved the use of General Fund Contingency funding and approved budget appropriation transfers to cover the County's expenses related to the January and February 2017 flood events.

May 23, 2017 – The Board approved gifting general funds to cover the cost of County building permit fees for specific assessor's parcel numbers affected by Swan Lake (and the immediate vicinity) flooding when demonstrated that individual insurance carriers would not cover the cost of County building permit fees.

May 9, 2017 – The Board received an update on the North Valleys flood incident operation.

April 25, 2017 – The Board directed staff to return with a District Attorney opinion regarding the possible methods for gifting general fund money for building permits related to the Lemmon Valley Flood.

March 28, 2017 – Washoe County staff provided an update to the Board on emergency operations related to the February 23, 2017 Declaration of State of Emergency and received approval of actions taken by the County Manager pursuant to emergency powers related to the state of emergency.

March 21, 2017 – Washoe County staff provided an update to the Board on emergency operations related to the February 23, 2017 Declaration of State of Emergency and received approval of actions taken by the County Manager pursuant to emergency powers related to the state of emergency.

March 14, 2017 – The Board ratified a Declaration of a State of Emergency by the Washoe County Manager on February 23, 2017 and received an update on the related emergency operations for the North Valleys flood response.

## **BACKGROUND**

Starting in September 2016 and continuing through February 2017, record setting precipitation events lead to significant water runoff into the Swan Lake closed basin in Lemmon Valley. This resulted in persistent flooding of certain areas around the Swan Lake closed basin leading to impacts to both public infrastructure and private properties. In response, the State of Nevada, Washoe County, and emergency responders initiated activities to contain Swan Lake and remove flood waters from certain public and residential areas. While these activities were successful in eliminating standing flood

water from the majority of residential areas and protecting residents from harm, additional long-term planning efforts by Washoe County have identified projects such as this to reduce the potential for future flood impacts in this closed basin.

This funding will be used to develop full design drawings and specifications for the successful bidding and construction of the project that will not require future mitigation.

A combination of Washoe County staff time, contracts, and volunteer efforts will be used to implement the project.

#### **GRANT AWARD SUMMARY**

**Project/Program Name:** Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project

**Scope of the Project:** Fund professional services to develop full design drawings and specifications for the successful future bidding and construction of the project

**Benefit to Washoe County Residents:** The development of these appropriately sized stormwater infrastructure designs will give stakeholders alternatives to be reviewed for feasibility, cost appropriateness and for presentation and selection of final design.

**On-Going Program Support:** None

**Award Amount:** \$450,000.00

**Grant Period:** September 20, 2021-August 20, 2023

**Funding Source:** FEMA

**Pass Through Entity:** Nevada Division of Emergency Management

**CFDA Number:** 97.03922

**Grant ID Number:** FM-5283-03-01

**Match Amount and Type:** \$150,000.00 total match (cash match)

**Sub-Awards and Contracts:** Contracts will likely be awarded to implement portions of the project. All contracts and supply purchases will follow Washoe County procurement guidelines.

#### **FISCAL IMPACT**

Should the board accept this grant award and approve these amendments, the adopted budget will be increased by \$450,000.00 in both revenues and expenditures in the following accounts:

<b>Cost Object</b>	<b>G/L Account</b>	<b>Amount</b>
IO 19129 – Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project	431110-Federal Grants	\$450,000.00
IO 19129 – Lemmon Valley Flood and Stormwater	818000-Transfer to Intrafund	\$450,000.00

Advance Assistance Design and Planning Project		
PW920517 – Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project	710100-Professional Services	\$450,000.00
PW920517 –Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project	818000-Transfer to Intrafund	-\$450,000.00

There is a \$150,000.00 cash match for this grant, which will come from funds allocated in the Capital Improvement Fund (402) in the North Valley’s Mitigation Strategy project (PW920506).

The grant funds will be drawn on a reimbursement basis. No indirect cost is included in this grant.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners: 1) accept the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security “Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project” grant [in the amount of \$450,000.00 with a Washoe County cash/in-kind match in the amount of \$150,000.00]; and 2) approve the Grant Award Letter with a retroactive grant period from September 20, 2021 through August 20, 2023; and 3) authorize the Assistant County Manager [Dave Solaro] to sign any subsequent documents related to the grant on behalf of the County; and 4) direct the Comptroller’s Office to make the necessary budget amendments.

### **POSSIBLE MOTION**

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to 1) accept the Nevada Department of Public Safety, Division of Emergency Management and Homeland Security “Lemmon Valley Flood and Stormwater Advance Assistance Design and Planning Project” grant [in the amount of \$450,000.00 with a Washoe County cash/in-kind match in the amount of \$150,000.00]; and 2) approve the Grant Award Letter with a retroactive grant period from September 20, 2021 through August 20, 2023; and 3) authorize the Assistant County Manager [Dave Solaro] to sign any subsequent documents related to the grant on behalf of the County; and 4) direct the Comptroller’s Office to make the necessary budget amendments.”