

CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the July 11, 2012 Meeting

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A regular meeting of the Carson City Regional Transportation Commission was scheduled to begin following adjournment of the Carson Area Metropolitan Planning Organization meeting on Wednesday, July 11, 2012, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Shelly Aldean
Vice Chairperson James Mallery
Commissioner Charles Des Jardins
Commissioner John McKenna

STAFF: Andrew Burnham, Public Works Department Director
Darren Schulz, Deputy Public Works Director
Patrick Pittenger, Transportation Manager
Daniel Doenges, Senior Transportation Planner
Ken Smithson, Transit Coordinator
Jeff Sharp, City Engineer
Joe Ward, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER AND DETERMINATION OF A QUORUM (5:23:18) - Chairperson Aldean called the meeting to order at 5:23 p.m. Roll was called; a quorum was present. Commissioner Smolenski was absent.

B. PUBLIC COMMENT (5:24:07) - Chairperson Aldean entertained public comments; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 13, 2012 (5:24:28) - Chairperson Aldean entertained suggested revisions and, when none were forthcoming, a motion to approve the minutes, as presented. Vice Chairperson Mallery so moved. Commissioner McKenna seconded the motion. Motion carried 4-0.

D. AGENDA MANAGEMENT NOTICE (5:24:53) - Chairperson Aldean entertained modifications to the agenda, and Mr. Pittenger requested to hear item F-1 separate from the consent agenda. Chairperson Aldean entertained additional modifications and, when none were forthcoming, deemed the agenda adopted as published.

E. DISCLOSURES (5:25:13) - None.

F. CONSENT AGENDA (5:25:23) - Chairperson Aldean entertained requests to hear items separate from the consent agenda, noting that item F-1 would be heard separately. When no other requests were

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forthcoming, she entertained commissioner and public comments. When none were forthcoming, she entertained a motion. **Commissioner McKenna moved to approve the consent agenda, consisting of one item, F-2, a grant award from the State of Nevada for the Aging and Disability Services Division in the amount of \$50,000. Vice Chairperson Mallery seconded the motion. Motion carried 4-0.**

F-1. POSSIBLE ACTION TO APPROVE THE FIRST RENEWAL OF CONTRACT NO. 1011-207 WITH INTERMOUNTAIN SLURRY SEAL, INC. THROUGH JUNE 30, 2013, FOR AN AMOUNT NOT TO EXCEED \$96,907.08, TO BE FUNDED FROM STREETS SUPPLIES, SIGNS, AND PAINT FUND, AS PROVIDED IN FY 2012 / 2013 (5:26:08) - Chairperson Aldean introduced this item, and Mr. Pittenger reviewed the agenda materials. He pointed out a mathematical error in the table included in the agenda materials, and advised that it would not affect the contract or the payments made. He clarified the provisions included in the proposal and construction contracts included in the agenda materials, and advised of having distributed corrected copies to the commissioners. Chairperson Aldean noted the difference in price was due to increases in materials costs relative to the addition of Airport Road, portions of College Parkway, and East Fifth Street. Mr. Burnham advised that \$120,000 was budgeted for the contract and that the project be completed under budget.

Chairperson Aldean entertained commissioner and public questions or comments and, when none were forthcoming, a motion. **Commissioner McKenna moved to approve the first renewal of Contract 1011-207 with Intermountain Slurry Seal, Inc., through June 30, 2013, for an amount not to exceed \$96,907.08, to be funded from the Streets Supplies, Signs, and Paint fund, as provided in FY 2012 / 2013, including the amendments to the attachments and elimination of special conditions and exclusions. Vice Chairperson Mallery seconded the motion. Motion carried 4-0.**

F-2. POSSIBLE ACTION TO APPROVE GRANT AWARD NO. 01-006-10-LX-13 FROM THE STATE OF NEVADA AGING AND DISABILITY SERVICES DIVISION, IN THE AMOUNT OF \$50,000, FOR THE PERIOD JULY 1, 2012 TO JUNE 30, 2013, FOR THE PROVISION OF FREE BUS PASSES FOR SENIOR CITIZENS ON THE JAC FIXED-ROUTE SYSTEM

G. RECESS, NON-MEETING CONFIDENTIAL LITIGATION STRATEGY ATTORNEY - CLIENT INFORMATIONAL DISCUSSION; AND RECONVENE REGIONAL TRANSPORTATION COMMISSION (5:29:58) - Chairperson Aldean requested staff to check on the availability of another meeting room in order to accommodate the citizens not having to vacate the Sierra Room. She explained the agenda recess, and Mr. Ward explained the confidential attorney-client informational discussion. Chairperson Aldean recessed the meeting at 5:30 p.m., and reconvened at 6:00 p.m.

H. PUBLIC MEETING ITEMS:

H-1. POSSIBLE ACTION TO ACCEPT THE WORK, CLOSE AND APPROVE THE SETTLEMENT OF ALL DISPUTES ARISING FROM CONTRACT 0910-128, TITLED "2010 ARRA MICROPAVING PROJECT," WHICH WAS AWARDED TO VALLEY SLURRY SEAL COMPANY ("VSS") (6:00:08) - Chairperson Aldean introduced this item, and Senior Deputy District Attorney Tina Russom reviewed the agenda materials. Chairperson Aldean entertained commissioner

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comments or questions and, when none were forthcoming, noted the commission's obligation to minimize exposure. She entertained public comment and, when none was forthcoming, a motion. **Commissioner McKenna moved to accept the work, as completed, and to approve the release of payment in the amount of \$93,000 for Contract No. 0910-128, titled "2010 ARRA Micro-Paving Project," to Valley Slurry Seal Company, to approve the settlement of the outstanding dispute in this regard between the City and Valley Slurry Seal Company, and to authorize the Chairperson to sign the settlement agreement.** Chairperson Aldean advised of suggested clerical revisions, and offered to provide them to Ms. Russom. **Vice Chairperson Mallery seconded the motion. Motion carried 4-0.** Chairperson Aldean thanked Ms. Russom and Mr. Ward.

H-2. RECOGNITION OF FILEMON TORRES, WINNER OF THE KATHERINE McCLARY OPERATOR OF THE QUARTER (2012 1ST QUARTER) AWARD FOR MV TRANSPORTATION - CONTRACT OPERATOR OF THE JAC SYSTEM (6:04:01) - Chairperson Aldean introduced this item, requested Mr. Torres to join her at the podium, and stepped from the dais to the podium. She provided background information on this item, and read into the record the language of the Certificate of Appreciation which was included in the agenda materials. She noted that "everyone who works either directly or indirectly for the City is a *de facto* ambassador for the City." She advised of having been informed that Mr. Torres has been complimented on a number of occasions "for his compassion and his efficiency working for the JAC System. And the impression you leave with your customers reflects either favorably or unfavorably on the rest of us." Chairperson Aldean thanked Mr. Torres for his "good customer service and [his] conscientiousness on the job," and presented him with the Certificate of Appreciation. The commissioners, City staff, and citizens present applauded.

(6:05:48) Mr. Torres thanked the commissioners and his bosses, Lisa and Darcy. The commissioners, City staff, and citizens present again applauded.

H-3. POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS FOR APPROVAL OF AN INTERLOCAL AGREEMENT, BETWEEN CARSON CITY AND THE CARSON CITY SCHOOL DISTRICT, FOR THE PURPOSE OF EXCHANGING PROPERTY IN THE VICINITY OF PIONEER HIGH SCHOOL AND NORTH STEWART STREET EXTENSION (6:06:30) - Chairperson Aldean introduced this item. Mr. Sharp provided background information and reviewed the agenda materials in conjunction with displayed slides. He and Mr. Burnham responded to questions of clarification. Commissioner McKenna disclosed that he served as a member of the School Board at the time the project was constructed. Chairperson Aldean suggested including an interpretation provision in the interlocal agreement, and expressed a preference for such a provision to become boilerplate language in each of the City's contracts. Mr. Ward agreed, but advised of no concern relative to including an interpretation provision in the subject agreement. In response to a question, Mr. Burnham advised of no need for the City to retain the property and described the proposed exchange as fair. In response to previous questions, Mr. Sharp provided background information on the draft interlocal agreement.

(6:13:55) Carson City School District Project Manager Keith Shaffer provided background information on the subject property, the proposed interlocal agreement, and the involvement of Manhard Consulting, Ltd.

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In response to a question, Mr. Burnham advised that the proposed exchange was contemplated at the time the City took possession of the School District's property. He expressed the opinion that the subject transaction is "the right thing to do in the end." (6:16:51) Manhard Consulting, Ltd. representative Ken Dorr expressed appreciation for completion of the project.

Chairperson Aldean entertained additional commissioner questions or comments and public comments. When none were forthcoming, she entertained a motion. **Commissioner Des Jardins moved to make a recommendation to the Board of Supervisors for approval of an interlocal agreement, between Carson City and the Carson City School District, for the purpose of exchanging property in the vicinity of the Pioneer High School and North Stewart Street extension; with no fiscal impact. Vice Chairperson Mallery seconded the motion. Motion carried 4-0.** In response to a question, Mr. Burnham advised of "a little bit of surplus property [to] dispose of ... down the street."

H-4. POSSIBLE ACTION TO DETERMINE THAT A&K EARTH MOVERS, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD BASE BID ITEMS 1 - 24 AND ADDITIVE BID ITEM 1, CONTRACT NO. 1112-171, NORTH ROOP STREET ENHANCEMENT PROJECT, FOR A BID AMOUNT OF \$516,120.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$51,500.00, TO BE FUNDED FROM THE RTC / CC ROOP STREET - WINNIE / NORTH BIKE PROJECT FUND AND GENERAL GOVERNMENT CAPITAL FUND - ROOP STREET CONDUIT PROJECT ACCOUNTS, AS PROVIDED IN FY 2012 / 2013 (6:18:54) - Chairperson Aldean introduced this item, and Mr. Pittenger reviewed the agenda materials. Chairperson Aldean noted there were no other citizens present in the meeting room, and entertained commissioner comments. When none were forthcoming, she entertained a motion. **Vice Chairperson Mallery moved to determine that A&K Earth Movers, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Base Bid Item 1-24 and Additive Bid Item 1, Contract No. 1112-171, North Roop Street Enhancement Project, for a bid amount of \$516,120.00, plus a contingency amount not to exceed \$51,500.00, to be funded from the RTC / CC Roop Street - Winnie / North Bike Project Fund and General Government Capital Fund - Roop Street Conduit Project accounts, as provided in FY 2012 / 2013, with a fiscal impact not to exceed \$69,220. Commissioner Des Jardins seconded the motion. Motion carried 4-0.**

H-5. POSSIBLE ACTION TO ADOPT RESOLUTION NO. 2012-RTC-R-3, AND APPROVE THE COOPERATIVE AGREEMENT BETWEEN THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION AND THE NEVADA DEPARTMENT OF TRANSPORTATION ("NDOT") FOR THE EAST FIFTH STREET BIKE AND PEDESTRIAN IMPROVEMENT PROJECT (6:22:03) - Chairperson Aldean introduced this item. Mr. Pittenger provided background information and reviewed the agenda materials. Chairperson Aldean entertained questions or comments of the commissioners and of the public. When none were forthcoming, she entertained a motion. **Commissioner McKenna moved to adopt Resolution No. 2012-RTC-R-3, and approve the cooperative agreement, between the Carson City RTC and the Nevada Department of Transportation, for the East Fifth Street Bike and Pedestrian Improvement project. Commissioner Des Jardins seconded the motion. Motion carried 4-0.**

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H-6. INFORMATION ONLY ON 2012 TRAFFIC COUNTS CONDUCTED BY THE NEVADA DEPARTMENT OF TRANSPORTATION (“NDOT”) (6:23:37) - Chairperson Aldean introduced this item, and Mr. Pittenger reviewed the agenda materials. Mr. Pittenger advised that the traffic count information is often requested by and provided to citizens. Chairperson Aldean entertained questions or comments; however, none were forthcoming.

H-7. POSSIBLE ACTION TO RESCIND THE ACTION BY THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION, ON APRIL 11, 2012, APPROVING A \$1,000 CONTRIBUTION TO SECRET WITNESS OF NORTHERN NEVADA TO PROVIDE A REWARD FOR INFORMATION LEADING TO THE ARREST AND SUCCESSFUL PROSECUTION OF ANY INDIVIDUALS RESPONSIBLE FOR VANDALIZING ROADWAY SIGNS, FREEWAY LANDSCAPING AND ARTWORK, AND OTHER TRANSPORTATION-RELATED PROPERTY WITHIN CARSON CITY (6:26:20) - Chairperson Aldean introduced this item. Mr. Doenges provided background information and reviewed the agenda report. Following a brief discussion, Chairperson Aldean entertained a motion. **Commissioner Des Jardins moved to rescind the action by the Carson City Regional Transportation Commission, on April 11, 2012, approving a \$1,000 contribution to Secret Witness of Northern Nevada to provide a reward for information leading to the arrest and successful prosecution of any individuals responsible for vandalizing roadway signs, freeway landscaping and artwork, or other transportation-related property within Carson City; fiscal impact not applicable. Commissioner McKenna seconded the motion.** Chairperson Aldean entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.**

H-8. INFORMATION ONLY ON EFFORTS BY THE CARSON CITY SHERIFF’S OFFICE TO PREVENT AND RESPOND TO VANDALISM OF TRANSPORTATION-RELATED PROPERTY (6:29:44) - Chairperson Aldean introduced this item. Mr. Doenges reviewed the agenda materials, and provided an overview of his discussions with Sheriff’s Office representatives. Following a brief discussion, Chairperson Aldean expressed an interest in additional information regarding the Secret Witness mission. In response to a question, Mr. Burnham advised that the gateway signs and the freeway landscape artwork have been treated with anti-graffiti material. Mr. Doenges responded to questions regarding recent vandalism-related arrests. Chairperson Aldean entertained additional questions or comments; however, none were forthcoming.

I. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

I-1. STREET OPERATIONS REPORT - MAY 2012 (6:35:45) - Chairperson Aldean introduced this item and entertained questions. None were forthcoming.

I-2. PROJECT STATUS REPORT (6:35:55) - Chairperson Aldean introduced this item, and Mr. Doenges distributed to the commissioners and staff a corrected version of the report. Mr. Schulz reported that the freeway landscape project continues, referencing the brief description included in the agenda materials. In response to a question, he advised that a portion of Vista Grande Boulevard is situated in Carson City and described its location. He acknowledged that the City is not improving sidewalks or roadways in Douglas County. Chairperson Aldean entertained additional questions or comments; however, none were forthcoming.

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I-3. FUTURE AGENDA ITEMS (6:38:32) - Chairperson Aldean introduced this item, and Mr. Pittenger provided an overview of the tentative agenda for the August commission meeting. (6:41:53) Chairperson Aldean entertained requests for additional future agenda items; however, none were forthcoming.

J. COMMISSIONER COMMENTS (6:39:15) - In response to a comment, Mr. Burnham described a recent median sealing project. He acknowledged that none of the landscaped medians will be replaced with asphalt. Chairperson Aldean provided an overview of discussion which took place at a recent meeting with Sheriff's Department representatives and members of Muscle Powered with regard to allowing bicyclists to travel on certain sidewalks, and posting signage accordingly. Mr. Pittenger offered to meet with Muscle Powered representatives to discuss the proposal. (6:42:12) Vice Chairperson Mallery reported on the June 29th Tahoe Transportation District special meeting. In response to a question, he reviewed ridership figures for the Sand Harbor shuttle service.

K. PUBLIC COMMENTS (6:47:00) - Chairperson Aldean entertained public comment; however, none was forthcoming.

L. ACTION ON ADJOURNMENT (6:47:12) - Commissioner Des Jardins moved to adjourn the meeting at 6:47 p.m. Vice Chairperson Mallery seconded the motion. Motion carried 4-0.

The Minutes of the July 11, 2012 Carson City Regional Transportation Commission meeting are so approved this 10th day of October, 2012.

SHELLY ALDEAN, Chair