

CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the June 8, 2005, Meeting

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A regularly scheduled meeting of the Carson City Regional Transportation Commission was held on Wednesday, June 8, 2005, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, immediately following the regularly scheduled meeting of the Carson Area Metropolitan Planning Organization that began at 5:30 p.m.

**PRESENT:** Chairperson Richard S. Staub, Vice Chairperson Charles Des Jardins, and Commissioners Shelly Aldean, Larry Hastings, and Michael Zola

**STAFF PRESENT:** Development Services Director Andrew Burnham, Community Development Director Walter Sullivan, Deputy City Engineer John Flansberg, Deputy District Attorney Michael Suglia, Transportation/Transit Planner Michael Dulude, and Recording Secretary Katherine McLaughlin (RTC 6/8/05 Tape 1-0006)

**NOTE:** Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members making the presentation are listed after the Item heading. Any other individuals who spoke are listed in the order in which they spoke. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

**I. ROLL CALL AND DETERMINATION OF A QUORUM (1-0006)** - Chairperson Staub convened the meeting at 6:15 p.m. Roll call was taken. The entire Commission was present, constituting a quorum.

**J. APPROVAL OF MINUTES - APRIL 13 AND MAY 11, 2005 (1-0017)** - Commissioner Des Jardins clarified his remarks in the last line of Page 2 to indicate his belief that "a majority of the drivers exceeding the speed limit in that area were from out-of-state". He asked that the minutes be revised. Commissioner Des Jardins then moved to approve the Minutes of April 13, 2005, as presented and the Minutes of May 11, 2005, as amended. Commissioner Zola seconded the motion. Motion carried 5-0.

**K. AGENDA MODIFICATION (1-0053)** - Item N-2 and N-3 will be taken before Item N-1. No formal action was required or taken on this change.

**L. PUBLIC COMMENT (1-0057)** - None.

**M. DISCLOSURES (1-0063)** - Commissioner Zola disclosed his telephone discussions with a gentleman named Bruce, last name unknown, regarding Roop Street and the entrance to Walmart and with a *Reno Gazette Journal* reporter regarding that intersection. Commissioner Des Jardins disclosed an email he had received from a Parks and Recreation Commissioner regarding the equestrian issues which will be discussed under Item N-1. Commissioner Aldean disclosed that she had also received emails regarding the equestrian issues and the Roop and Hot Springs roundabout issues. Chairperson Staub disclosed that he had received emails regarding the roundabout and Item N-1. Commissioner Hastings did not have a disclosure.

**N. PUBLIC MEETING ITEMS**

**N-2. REPORT ON MEETING WITH BUSINESSES ON THE POSSIBLE INSTALLATION**

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**OF A ROUNDABOUT AT THE INTERSECTION OF ROOP STREET AND HOT SPRINGS ROAD (1-0091)** - Deputy City Engineer John Flansberg - Meetings had been held with the business representatives and the developer. They want a signalized intersection and not the roundabout. The developer's engineer assured staff that they can meet the acceptable turning movement standards. Commissioner Aldean explained that a media report implied that the Commission had approved and directed staff to move forward with the roundabout. The April 13 Minutes indicate that the motion was to support the recommendation to install a roundabout at the intersection of Hot Springs Road and Roop Street subject to receiving input from the affected businesses in the immediate area. The meeting occurred earlier this afternoon. There was no support for the roundabout. There was unanimous support for the developer to move forward with the installation of a signal. Public comments were solicited but none were given. No formal action was required or taken.

**N-3. DISCUSSION AND ACTION ON RECOMMENDING TO THE CARSON CITY BOARD OF SUPERVISORS THE AWARD OF THE ROOP STREET WIDENING, FROM BEVERLY DRIVE TO WINNIE LANE, CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER (1-0125)** - Deputy City Engineer John Flansberg explained the two bids that were received and asked the Commission to forward a recommendation to the Board of Supervisors supporting awarding the bid to Marv McQueary Excavating. Public comments were solicited but none were given. Commissioner Zola moved to recommend that the Carson City Board of Supervisors award the Roop Street widening from Beverly to Winnie Construction Contract to the lowest responsible bidder, Marv McQueary Excavation. Commissioner Des Jardins seconded the motion. Following a request for an amendment, Commissioner Zola amended his motion to include the cost of \$1,761,977 plus a five percent contingency. Commissioner Des Jardins concurred. Motion carried 5-0.

**N-1. ACTION TO APPROVE THE EQUESTRIAN POLICY (1-0161)** - Development Services Director Andrew Burnham, Deputy City Engineer John Flansberg, NDOT Chief of Program Development Services Dennis Taylor, Deputy District Attorney Michael Suglia, Parks Planner Vern Krahn, Carson City Equestrian Alliance President Beth Scott, Tracy McLeod, National Pony Express Association Representative Dale Ryan, Joan Wright, Nevada State All Trails Riders Association Representative Connie Creech, Lyon County Horsemen's Association President Denise Walker, Carson City Equestrian Alliance Member and State Back Country Horsemen's Association President Truddie Arkell, Vickie Clift, Rich Monesorski, Joyce Strong, Alice Ifhe Mason, Steven Summers - Mr. Burnham's introduction stressed the need for the Commission to make a policy decision on equestrian usage in the community and the Alliance/public's request for a separate overpass for equestrian use only. Staff believes that the proposed overpass will be used for recreational purposes only. As Federal funding is restricted to transportation/transit uses, no funding has been found or is available for this purpose. RTC/City does not have funds for this purpose and is struggling at this time to do needed projects. The City's comprehensive master plan is in the process of being updated and will include an equestrian element. He acknowledged that the freeway will significantly impact the equestrian users and could be sited as a reason for supporting their request. Chairperson Staub explained that the Commission could only consider the policy and no other equestrian issue at this time. Mr. Burnham read staff's recommended policy statement into the record. (A copy is in the file.) It reflects the belief that equestrian usage is recreational and defines the responsibilities of RTC and the Parks and Recreation Commission (P&RC). The current policy attempts to accommodate equestrian uses within the shoulder area of the street. Commission comments stressed that there is no funding available for an enhanced equestrian freeway crossing. P&RC is working on a plan to accommodate equestrian uses. The policy clarifies RTC

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and P&RC responsibilities and points equestrian users to P&RC and its trails' program. RTC's responsibility is to include equestrian uses within the roadway shoulders in rural areas. It is RTC staff's intent to have P&RC build the bridge over Valley View.

Mr. Flansberg described the proposed equestrian crossings at Koontz and Clearview as well as the equestrian users' request for a separate area of "DG" or an unimproved surface that is 15-foot wide. The cost for these structures is estimated to be \$530,000. The 20-foot wide equestrian only bridge at Valley View is estimated to cost \$1 million. Mr. Burnham noted NDOT's letter indicates it will not participate in these costs. Commissioner Zola expressed his belief that NDOT should participate and plan the crossing at this time rather than in the future. He requested communication with the Feds regarding whether funding is available for the crossing. Commissioner Hastings suggested that the projects be packaged together and submitted for enhancement funds. He asked NDOT Representative Leif Anderson to respond to the question of funding availability. (Mr. Anderson was present.) Mr. Flansberg agreed that the projects were the type that use enhancement funds.

Mr. Taylor explained that NDOT must evaluate bicycle trails and other types of joint use trails. He has no history regarding potential funding from Federal Highways for this type of project. He did not know if enhancement funds could be used for this purpose. NDOT has revised and improved its application submittal process. He asked the Commission, if desired, to submit an application through that process. This year's enhancement funding application process has closed. It will reopen in 1½ years. The application can be submitted today and will be evaluated at that time. Discussion between Mr. Taylor and the Commission indicated that the freeway design of Phase 2 is 90% complete. City funding will be required for it. The freeway committee will evaluate the request to add the cross at its meeting in mid-July. Mr. Taylor recommended that RTC submit the project application as soon as possible for consideration by the committee. The design could be with or without a wall separating the bicycle and pedestrian users from the equestrian path. Justification for the wall was provided. Mr. Burnham pointed out that submittal of an application for enhancement funding is no assurance that the project will be funded. It must be ranked by CAMPO with the other RTC projects which include bicycle paths, landscaping, and safety projects. Both Chairperson Staub and Mr. Suglia pointed out that the meeting is not agenzized to allow consideration of the application at this time. Commission comments directed staff to develop an application for CAMPO to consider for enhancement funding and ranking against the other projects. Discussion also indicated that RTC and CAMPO control the roadway shoulder usage. The policy addresses this area of the street right-of-way.

Discussion ensued on the amount of width required for the equestrian use and whether a smaller amount is adequate. Chairperson Staub reminded the Commission that its comments should be restricted to the policy and its issues. He then thanked the audience for attending and reminded it that the Commission is limited regarding the issues it can consider. He asked that comments not be made regarding the Koontz, Clearview, and Valley View crossings. He then asked for comments from the P&RC and its Department.

Mr. Krahn supported Mr. Burnham's statement indicating that the P&R Department had worked with RTC staff on the proposed policy. P&R staff is working on a trail plan which will include equestrian, pedestrian, bicycles, and OHVs issues. There is a need for these types of uses in the community. The Board and Planning Commission will adopt the final plan. He also indicated that the policy and plan can be amended in the future as desired. Mr. Flansberg suggested that the policy be amended to change the shoulder area to

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be the right-of-way to mitigate any future interpretation problems.

Chairperson Staub then asked for public comments, that the comments be restricted as had been previously indicated, that the speakers limit their comments to three minutes and not repeat statements which had already been made. He believed that a majority of the individuals who were present supported having the City address a policy on how horses will be able to cross the freeway in southeast Carson City. Public comments were then solicited.

Ms. Scott explained that P&RC had asked for a joint meeting. The Alliance had only asked for consideration of the policy. It had asked for a multi-use or shared use crossing and not an equestrian only crossing. The proposed crossings do not at this time include any equestrian amenities. Historical use of major City roads indicates that all of them had at one time been for equestrian usage. Twenty years ago improvements to Highway 395 had impacted equestrian access to the Fairgrounds. She felt that the bicycle users' requests were ignored two years ago when the transportation master plan was adopted. The same thing happened last year to the equestrian users efforts to be included in it. At that time they were told to seek support from the P&RC for inclusion in its trail plan. The P&RC sent them to RTC. They then met with City RCT staff and were sent to the Governor's office. They had obtained the cost estimates for that meeting. Approval of the policy will create a roadblock to final resolution of the issues. RTC and planners must help provide freeway crossings. The options include the 15-foot segregated trail. The width does not have to 15 feet, however, it provides a safety cushion. Clarification indicated her belief that the policy will inhibit the ability to seek other funding options. She needed additional time to research these funding opportunities and to have developed plans with appropriate cost estimates. She felt that limiting the issues to P&RC will dilute funding potentials and abilities. She also felt that the more community support that is provided, the better her chances of success are.

Ms. Scott then read at the alleged request of Paul Caramand a news media report and his comments indicating that the City is "snubbing horsemen". He also alleged that the proposed policy will force horsemen and women to trailer their horses to gain access to historical trails and further restrict equestrian uses and funding. Horses are still "street legal" in many parts of the State. The policy will eventually result in "squeezing" other forms of non-motorized uses, such as, bicycle and pedestrian uses. He also believed that all parks and recreation trails will eventually be eliminated from all Carson City transportation plans and funding in the future.

(1-0785) Ms. McLeod felt that the trails and rights-of-way had been used openly and "notoriously" for decades by the equestrians to reach whatever locations they wished. The use is their right by "prescription". The policy eliminates this ability. By enacting staff's suggested policy, the Commission will be ignoring their request for recognition and inclusion. She then expressed her belief that she would not be able to use the equestrian pass that is to be constructed in Washoe Valley over the 395 freeway as it will spook her horse.

Mr. Ryan indicated that his Association has had ongoing issues with NDOT since 1992 over the freeway alignment and their access to historical Pony Express trails through the City. The Association wants to perpetuate its alignment along Center Street and to have a freeway crossing in that proximity. He also indicated that the 1992 Congress approved the National Pony Express Trail. The California Overland Trail is in the same vicinity. Douglas County has approved historical trails as an element of its Master Plan. A

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portion of the Carson City fund designated for the freeway should be used for the equestrian crossing at Valley View. He expressed his personal concerns regarding the impact the freeway and elimination of and/or constraints on the riding trails could have on the value of the horse property in the southeast quadrant of the City. He voiced concerns regarding the proposed BLM alignment with Valley View and the width of all of the proposed crossings. The need for a dirt or gravel equestrian crossing was explained. He alleged that the Pony Express Association has successfully negotiated a 12 to 15 foot corridor crossing under Highway 50. The same thing should be provided for the freeway.

Ms. Wright explained the need for a freeway crossing and belief that the policy will create problems for them as it states equestrian uses are not transportation. She urged the Commission to deny the policy and research the opportunities for enhancement funding. Justification for having a 12 to 15-foot wide crossing was provided.

Ms. Creech explained a previous use of the Fairgrounds and Fuji Park for a 100-mile endurance international ride. In order to have a similar event in the future, they need to be able to cross the freeway to access the trails. She explained that she is a Nevada State Recreation Trails Advisory Committee member. It oversees the recreational trails grants. A grant for an equestrian trail has a maximum funding ability of \$100,000.

Ms. Walker explained their concerns about the impact the policy could have on funding potentials and possibility that it opens the door for other Counties/communities to restrict equestrian uses. She urged the Commission to reject the policy as there are other options that should be considered.

Ms. Arkell felt that the allegations that they had not participated were unfair. They have been attending the workshops and meetings as well as speaking to their representatives. It has taken a lot of time to reach this point. Carson City has an opportunity to be looked at as having acknowledged that equestrian usage is a mode of transportation. Carson City should not deny access to public lands. The Back Country Horsemen's Association helped carry cement for the "C" Hill Flag. She voiced her frustration at their having been sent through a maze in their unsuccessful attempt to be listened to. She hoped that the Commission is listening. They need a fair and safe non-motorized multi-use trail to access public lands. They all pay taxes which should be used for their support.

Ms. Clift described her equestrian background in the community. She urged Nevada to not forget its rich heritage was founded on horses and mules. They were the main means of transportation as indicated by the Overland Trail and the Pony Express Trail. The California sections of the Overland Trail is preserved by the California National Historic Act which is protected by the National Park Service. The Pony Express Trail was part of the National Historic Trails Act in 1992. Horses have always been part of the federal transportation laws and have provided the riders with the ability to preserve trails and trail assets. If horses become recreational only, funding will be eliminated. She cited a Walmart that installed hitching rails as an indication that many riders prefer their horses to the use of automobiles. Alternatives to the high price of gas should be considered. It is a safe and environmentally friendly means of transportation. The Safety Act of 2003 defines a shared use path to include a multi-use trail that is physically separated from motor vehicles. This creates a safety barrier from the vehicles so that pedestrians, bicyclists, and riders can safely cross highways. Nevada should not exclude horses from the transportation laws even though the use of horses may

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be considered outdated. People still enjoy horses. The transportation laws provide funding for trails and a quality of life that Nevadans enjoy.

Mr. Monasorski offered \$100 to help build the bridge. The equestrian users love Carson City and do not want to move. He had taken a group of individuals, including Parks Planner Vern Krahn, on a ride of the trails and volunteered to take the Commission on a similar ride. He teaches people how to ride horses and had done so for 48 years. Horses are a means of transportation as indicated by the distribution of 100 flyers throughout his neighborhood. He urged the Commission to do whatever is necessary to provide the access. It will make the community unique and illustrates its friendliness.

Ms. Strong indicated she does not have horses but it is a mode of transportation. It is a part of Carson City's history and should be allowed to continue to occur in Carson City. She owns horse property and had moved here to be able to have horse property. Stopping the equestrian usage would "break her heart". It is part of the quality of life which she enjoys in the community.

Ms. Mason felt that the Commission had a unique opportunity to preserve the City's historic heritage. She urged the Commission to accommodate the equestrian users and not become a Los Angeles or San Fernando Valley.

Mr. Summers felt that the policy would be detrimental to the future of his carriage business. Safety concerns dictate the need for an equestrian overpass to be separate and 15 feet wide. Justification for it was provided. He also indicated that there are a lot of people using carriages and they need this width. He urged the Commission to plan the overpass carefully with lots of public input. Additional public comments were solicited but none were provided.

Chairperson Staub again thanked the audience for attending the meeting. None of the Commissioners had preconceived ideas on the policy. They wanted to listen to the public. They, also, want to do what is best for the community with the small amount of funds that are available. RTC and P&RC must split the pie. This is not easy to do. He then explained his inability to understand the need for the policy. Some of the equestrian issues are under P&RC's purview but the use is also a mode of transportation, specifically, when in the right-of-way. As long as he could recall, there have always been horses roaming the hills surrounding Carson City and on the City streets and trails. The wild horses have pulled back as the City grew. They are seen along Highway 50, Deer Run Road, Edmonds Drive, and throughout the State. He again questioned the need for the policy. His intent to vote against the policy was indicated due to his belief that it was not necessary. He asked that staff look at the possibility of obtaining enhancement funding as well as other potential Federal and NDOT funding sources.

Commissioner Aldean concurred and indicated her understanding of the need to spell out the RTC and P&RC's purviews. She pointed out that there are finite funding sources. She believed that, if it is a community-wide project, assistance in finding the funding will be provided. She did not feel that RTC should be a passive participation but must be realistic in what RTC can afford to do. She supported Chairperson Staub's remarks and suggested that no action be taken or that the policy request be denied.

Commissioner Zola pointed out that in some communities horses and carriages are a viable tourist business.

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They are a form of transportation. Removal, elimination, or restriction will negatively impact them and their quality of life. Although he has not supported equestrian uses in the past, he is opposed to restricting access to public land. There are many areas throughout the west where horse and deer accommodations have been provided to allow them to cross highways. NDOT should have documents regarding these accommodations. He was certain that the accommodations had been provided with Federal and/or local funding. He did not know how or where to locate these funds. Carson City should be kept open for all. He also believed that it would be difficult to revise the policy once it is approved. He also opposed the policy and supported leaving public lands open for the public's enjoyment. Chairperson Staub noted that the highway from Calgary to Casper has a number of overpasses for wildlife.

Commissioner Des Jardins failed to see the need for the policy. He noted his background and decision to reside in Carson City due to its quality of life. Part of his background had been as a Chief Ecologist and had worked with Federal staff to provide different methods of getting wildlife from one side of a roadway to the other side. He had not dealt with equestrian uses during his tenure in that position. He was, however, very familiar with the designs. He had found the discussions and the designs to be very interesting. He, too, believed that a policy was not needed. He also indicated the importance of meeting the needs of everyone.

Commissioner Hastings indicated that he is a native Nevadan and had been a transportation planner for 35 years. He had not spent any time on an equestrian plan during that timeframe. He agreed that horses were a mode of transportation 150 years ago. He questioned the number of riders who use horses to go shopping and work. He stressed that the Commission is not saying "no". He pointed out that only recently had bicyclists been given support. This is the first step for equestrian usage and thanked the audience for taking the time to ask for it. Chairperson Staub pointed out that there is a horse watering station across from the State Capitol on Carson Street.

Discussion indicated that action was not necessary. Chairperson Staub, again, thanked the audience for attending and participating. No formal action was taken.

**O. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS AND FUTURE AGENDA ITEMS (NON-ACTION ITEMS) (1-1372)** - Commissioner Aldean explained that she had informed residents who had inquired about the Bowers Lane and Sunrise Drive closures that their issue will be on the July agenda. No formal action was required to taken.

**P. ADJOURNMENT - RTC (1-1375)** - Commissioner Aldean moved to adjourn. Commissioner Zola seconded the motion. Motion carried 5-0. Chairperson Staub adjourned the meeting at 7:36 p.m.

The Minutes of the June 8, 2005, Carson City Regional Transportation Commission meeting

ARE SO APPROVED ON July 13, 2005.

/s/  
Richard S. Staub, Chairperson