CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the June 13, 2007, Meeting

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A regularly scheduled meeting of the Carson City Regional Transportation Commission was held on Wednesday, June 13, 2007, 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 Shelly Aldean, Vice Chairperson Larry Hastings, and Commissioners

Russell Carpenter, Charles Des Jardins, and Richard Staub

STAFF PRESENT: Public Works Director Andrew Burnham, Development Services Director/City

Engineer Larry Werner, Senior Deputy District Attorney Ed Oueilhe, Transportation Program Manager Patrick Pittenger, RTC Engineer Harvey Brotzman, and Recording Secretary Katherine McLaughlin (RTC 6/13/07 Recording 6:09:00)

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

- **A. ROLL CALL AND DETERMINATION OF A QUORUM -** Chairperson Aldean convened the meeting at 6:09 p.m. Roll call was taken. The entire Commission was present, constituting a quorum.
- B. APPROVAL OF MINUTES (6:09:15) None.
- C. MODIFICATION OF AGENDA (6:09:20) Chairperson Aldean agreed to hear Item G-4 first.
- Patrick Pittenger distributed JAC marketing materials to the Commissioners. (None were given to the Clerk.) He advised that its ridership had established a new record of 8,100 passengers. Discussion explained the delay in receiving the new buses. Due to the problems NDOT has encountered with the vendor, Mr. Pittenger had been assured that another contract will not be issued to that firm. The bus inspection process was defined. None of the buses that were shipped had passed NDOT's inspection. Discussion indicated that the contract had included NDOT's requirements. The vendor should have understood them prior to submitting a bid. Comments indicated that the problem is the requirement mandating acceptance of low bids. This is the reason that NDOT is building a solid case against granting any future contracts to the firm.
- E. PUBLIC COMMENT (6:13:47) None.
- **F. DISCLOSURES** (6:14:14) Commissioner Carpenter disclosed that he had been approached by several individuals regarding Item G-3 which he will represent at the time it is discussed.

G. PUBLIC MEETING ITEMS:

- ACTION TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE AN AGREEMENT BETWEEN FAIRVIEW C.C. LLC, A NEVADA LIMITED LIABILITY COMPANY (FAIRVIEW C.C. LLC), AND CARSON CITY WHEREBY FAIRVIEW C.C. LLC AGREE(S) TO SELL AND CONVEY A PORTION OF THAT CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 010-061-02 FOR THE APPRAISED VALUE \$20,000 (6:38:22) - Public Works Director Andrew Burnham, Senior Deputy District Attorney Ed Queilhe - Discussion noted that there are two parties involved with the deed–Fairview C.C. LLC and Robin Jeffery Hicks. Mr. Burnham advised that the property acquisitions for Fairview should be completed in July and that the construction work could go to bid in either July or August. Commissioner Des Jardins pointed out that a delay is created by the need to have the Board of Supervisors approve RTC expenditures. Mr. Oueilhe explained that in order for RTC to handle these items, amendments must be made to the Municipal Code and the interlocal agreement. He indicated that the item will be agenized for consideration by RTC. Commissioner Staub moved to recommend that the Board of Supervisors approve a deed for acquisition of right-of-way between Robin Jeffery Hicks, a married man, and Fairview C.C. LLC, a Nevada Limited Liability Company, Fairview C.C., LLC, and Carson City whereby Fairview C.C. LLC agrees to sell and convey a portion of that certain real property described as Assessor's Parcel Number 010-061-02 for the appraised value of \$20,000; and that is the fiscal impact. Commissioner Hastings seconded the motion. Public comments were solicited but none given. Motion carried 5-0.
- ACTION TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE AND AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT BETWEEN LINKSIDE PLACE LLC AND CARSON CITY WHEREBY LINKSIDE PLACE LLC AGREE(S) TO SELL AND CONVEY A PORTION OF THAT CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 009-551-30 FOR THE APPRAISED VALUE OF \$24,500, A TEMPORARY CONSTRUCTION EASEMENT OVER A PORTION OF THAT CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 009-551-30 FOR THE APPRAISED VALUE OF \$4,000, AND A PERMISSION TO CONSTRUCT OUTSIDE OF THE RIGHT-OF-WAY FOR A TOTAL AMOUNT OF \$28,500 (6:42:41) - Public Works Director Andrew Burnham - Commissioner Staub moved to recommend that the Board of Supervisors approve and authorize the Mayor to sign an agreement between Linkside Place LLC and Carson City whereby Linkside Place LLC agrees to sell and convey a portion of that certain real property described as Assessor's Parcel Number 009-551-30 for the appraised value of \$24,500, a temporary construction easement over a portion of that certain real property described as Assessor's Parcel Number 009-551-30 for the appraised value of \$4,000, and a Permission to Construct Outside of the Right-of-Way for a total amount of \$28,500; that is the fiscal impact. Commissioner Hastings seconded the motion. Motion carried 5-0.
- G-3. DISCUSSION AND ACTION ON A REQUEST FROM RESIDENTS OF QUAIL RUN FOR NOISE ABATEMENT OF THEIR SUBDIVISION ALONG FAIRVIEW DRIVE (6:44:08) Transportation Program Manager Patrick Pittenger, Public Works Director Andrew Burnham, RTC Engineer Harvey Brotzman Mr. Pittenger's introduction explained the location of the development,

the concern regarding the noise that will be created by the traffic when the freeway terminates at Fairview, that a noise study indicates the current level is 65 dcb which may peak at 69 dcbs after the freeway is constructed, the lack of a City noise ordinance, the NDOT standard and requirement for mitigation, staff's suggested alternatives and their cost estimates, and the problems in obtaining bid estimates for raising the wall. Mr. Burnham advised that Mr. Brotzman had left messages advising the Homeowners Association President about the RTC meeting. Commissioner Hastings opined that the Commission should not take any action until the actual impact occurs. Mr. Brotzman explained the reasons contractors were reluctant to give estimates were based on the topography and location of the wall. The current wall was designed as a retaining wall with a sound wall on the other side. He also indicated that the consultant who had done the study may have used the east side of Saliman to analyze the traffic volume rather than the west side. Therefore, the volume may be less than that indicated.

Commissioner Carpenter disclosed that he had been contacted by people who did not identify themselves as residents of Quail Run. They were very adamant that the RTC should not participate in this mitigation. The developer knew that the freeway was going to be coming to Fairview and that the road would be widened to four lanes. He should have disclosed this to the potential buyers. If he did not, he should be required to make the corrections. Commissioner Carpenter supported the individuals. He believed that the first course of action should be to discuss the situation with the developer. Discussion indicated that the original developer is no longer involved with the development. Mr. Burnham also indicated that all of the property abutting the wall has been sold. He agreed to check and see if the original developer is still in the area.

Commissioner Staub disclosed that his brother owns a residence in the subdivision which faces Fairview Drive.* He also disclosed that he and Chairperson Aldean have met with the subdivision's residents at least three times to discuss the impact. He had attempted to provide alternatives for them. He also attempted to make it very clear that RTC has a limited amount of funding. He acknowledged that there will be an impact to the residents. He did not believe that the residents were ignorant of the fact that the freeway is coming and will end at Fairview. RTC's job includes mitigation of any impacts. He told the residents that RTC will listen to their concerns but that they should participate with RTC in the mitigation effort. He has said the same thing to an individual on North Moody who will be impacted by the Stewart Street extension. He/she will have to participate in the mitigation effort. He advised that some of the residents along Fairview want to take a wait and see approach to mitigation. Their reasons are based on problems that may be created to their residence during/after construction and destruction of their yards. He suggest-ed that the matter be continued to the August meeting due to a desire to have representatives from the subdivision present. Mr. Brotzman had attempted to call the representative and had left a message. He had not made a second attempt. Mr. Burnham indicated that a letter will be sent to the residents advising them of the discussion and requesting their attendance at the next meeting. Mr. Brotzman elaborated on the wall problem and why it could not be retrofitted or have the height increased. (*For clarification of this statement please see Minutes of 7/11/07.)

C ommissioner Des Jardins disclosed that he had attended a meeting that Commissioner Staub and Chairperson Aldean were present. He acknowledged that it is a complex issue which had been well represented

by Commissioner Staub. His position is to wait and see what the impact is. Justification for this position was provided. He also wants to have more up-to-date feedback from the residents.

Chairperson Aldean also supported taking no action this evening without representation from the residents. She felt that window replacement and landscaping will not address the impact. Her concern about the cost was considered a major element to mitigation. She did not wish to replace the wall or remove the windows. She was concerned about the inability to evaluate the actual impact at this stage. She supported waiting to see what the impact is after the street is widened.

Commissioner Staub reiterated his suggestion that the matter be continued at this time. He also felt that the mitigation should be restricted to Fairview and not include Saliman. The mitigation should be limited to that created by increased traffic and not consider Bob White Drive which gave up a left turn lane.

Commissioner Carpenter expressed his appreciation of the explanations provided by Commissioner Staub and indicated that he will relay the information to the individuals who had contacted him. He supported continuing the item until representatives are present. Additional comments were solicited. None were given.

Commissioner Staub moved to continue Item G-3 regarding the Quail Run Subdivision mediation to our next scheduled meeting. Comments indicated that will be on July 11. Commissioner Carpenter seconded the motion. Public comments were solicited but none were given. The motion was voted and carried 5-0.

Discussion between Chairperson Aldean and Mr. Burnham indicated that a report will be given to the residents. Commissioner Staub offered to meet with the residents so that they understand the concerns before coming to the RTC meeting. Mr. Burnham indicated that the Homeowners Association had been cooperating with the City and had signed some documents for him. Chairperson Aldean indicated that she will attend the meeting with Commissioner Staub. Mr. Burnham indicated that he will make the phone call tomorrow.

G-4. DISCUSSION AND ACTION ON TRANSIT FUNDING REQUEST SUBMITTED TO DOUGLAS COUNTY (6:14:54) - Transportation Program Manager Patrick Pittenger, Douglas County Manager Dan Holler, Public Works Director Andrew Burnham - Copies of letters sent to Douglas County on April 11 and May 15, 2007, were distributed. (Copies are in the file.) Mr. Pittenger noted the Commission's direction at the May 31 meeting and described the service which had been provided to the shopping center in Northern Douglas County. Five percent of the ridership has been going to this area. Service requests for the area were described. Justification for seeking funding for the service and the recommended fee were provided.

Mr. Holler indicated that he had received the letters. His staff has not had an opportunity to respond due to higher priorities. Alternatives to the funding request were noted. An analysis of the service should include an actual on-off count, where the riders live, and the purpose of the trip. Douglas County should not have to pay for its residents who are going to Carson City for medical reasons. He also suggested that

the employers be contacted and asked to participate in funding the service. This program was successful with Lake Tahoe employers. A response will be made after a thorough analysis has been conducted. Mr. Holler agreed that Douglas County's retailers in that area are benefitting from the Carson City residents who are shopping there. He suggested that DART start coming further into Carson City to provide service to those riders although coordination with the DART service could provide additional incentive for Carson City residents wishing to go into Gardnerville, etc. Coordination with the State for its services may also be desired.

Discussion with Mr. Pittenger indicated that the CAMPO transit study will consider the coordination issues, however, it will be several months before that study is completed. RTC was asked to make a policy decision regarding whether to wait with the demand letter until the study is completed. The City has been paying for the service for 18 months. Discussion supported development of a reasonable and accurate methodology for assessing the service charge. Mr. Holler indicated that his Board will have to decide how far back it is willing to fund the service. He also indicated that at this time there is no funding in the budget for this purpose. The study will be most beneficial to the entities as it will clearly indicate where the riders are coming from and going to. Commissioner Hastings suggested that a survey of the ridership be conducted and that Mr. Holler talk to the employers to determine their employee usage. The survey should determine where the individual resides and his/her purpose in the ride. A comparison could then be made.

Mr. Burnham pointed out that the coordination with the Washoe RTC should be considered as well as whether to extend it into Indian Hills. Chairperson Aldean concurred. She also indicated that it appears as though there is some redundancy in the services at this time. She supported having an equitable arrangement for all parties. Justification for establishing an agreement at this time was provided. It included the \$214,000 cost bore by Carson City for the service. Mr. Holler indicated that Douglas County supports DART to the tune of \$200,000. He felt that a reasonable solution could be reached.

Mr. Pittenger asked for direction from the Commission regarding whether to continue having JAC service the area due to the redundancy with DART and Washoe RTC services. Mr. Holler indicated that Washoe RTC needed to be better timed and more efficient with its service.

Commissioner Des Jardins indicated that his original questions had been answered. He also accepted Mr. Holler's comments in good faith. He felt that the staffs should continue working together to resolve the issues. A decision should be made before fiscal year 2008 is reached. Chairperson Aldean pointed out that the fiscal year commences on 7/1. She suggested that a solution be found by 12/31/07. She hoped to eliminate the redundancy as there are daily requests for JAC services in the community. Mr. Holler felt that an answer could be provided by September. Mr. Pittenger felt that was a reasonable date.

Commissioner Staub justified having formal action on the matter. Commissioner Staub then moved to direct staff to begin cooperative negotiations with Douglas County and to coordinate public transportation services between Carson City and Douglas County including the methodology and allocation of costs to operate said system between the Counties with a report back to RTC by October 2007. Commissioner Des

Jardins seconded the motion. Discussion noted that the original suggestion had been for a report in September or October rather than in 90 days. For that reason Commissioner Staub had included the October deadline. Public comments were solicited but none were given. Clarification indicated that NDOT Representative Taylor was present to hear the discussion. The motion was voted and carried 5-0.

G-5. ACTION TO PROVIDE DIRECTION TO STAFF FOR PRIORITIZATION OF RTC PROJECTS (7:10:48) - Public Works Director Andrew Burnham, Senior Deputy District Attorney Ed Oueilhe - Staff recommended action not be taken this evening as discussion regarding the transfer of streets from the State to the City is continuing. The funding impacts of this transfer and the freeway were briefly limned. It may require a higher level of negotiations to resolve all of these related issues. The staff listing contains all of the projects that staff has thought of plus the maintenance projects for which the Commission is responsible. The legislation that allows the RTC to spend street funds for maintenance was noted. Clarification indicated that the 1/4 cent gas tax can be used for maintenance and rebuilding streets. Justification in using slurry seal was based on its ability to keep the streets viable. He believed that the negotiations with NDOT could create as much as a \$1 million swing in funding. Discussion then explained the need to analyze projects which have been on the list for some time without construction occurring and the possibility of changing the priority to allow the use of those funds for more pressing projects. Mr. Burnham then explained the current status of the Fairview projects and Goni Road. He felt that the prioritization will be back to the Commission in either July or August. Mr. Oueilhe recommended that action continuing the item be taken. Commissioner Staub moved to continue Item G-5, the prioritization of RTC projects, to the July or August meeting. Commissioner Des Jardins seconded the motion. Motion carried 5-0.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)

H-1. STREET PROJECT REPORT (7:20:14) - RTC Engineer Harvey Brotzman, Public Works Director Andrew Burnham, Transportation Program Manager Patrick Pittenger - Status reports on Fairview, Stewart and Curry Streets were provided. Construction problems with Curry Street were described. The method of rectifying the situation was explained. It was felt that the method will allow the street to function for its normal life span. The method is spelled out in the "Orange Book". It was believed that the lack of experience by the project foreman may have caused the error in construction. A change in the City's staffing assignments may insure that a similar problem does not occur.

Mr. Pittenger described the bus stop areas and opined that they look great. Two of the five new bus shelters are programmed for placement on Curry Street. Additional public comments were solicited but none were given. No formal action was required or taken.

H-2. STREET OPERATIONS REPORT (7:26:07) - Public Works Director Andrew Burnham - Discussion explained the status of the crack sealing project which had reduced the amount of slurry sealing that will be done this year by two percent. The intent is to pick this amount up in next year's maintenance work. Chairperson Aldean expressed her appreciation for the weed control at Hot Springs

and 395. Mr. Burnham indicated that concrete may be put in that area as part of a future Hot Springs project. Commissioner Staub indicated for the record that he had asked Mr. Burnham how to address the ruts at the intersection of East Clearview and Edmonds Drives. This is NDOT right-of-way. The City is aware of them and is working on it. Justification for mitigating this situation was provided. Public comments were solicited but none were given. No formal action was taken or required.

- H-3. FUTURE AGENDA ITEMS (7:28:10) Chairperson Aldean listed the Code amendment and interlocal agreement as items for discussion at the next meeting. Mr. Burnham hoped to have some bids for consideration. Chairperson Aldean also indicated that Center Drive should be agenized. Mr. Oueilhe indicated that he will be prepared to discuss the Code and agreement. Mr. Pittenger advised that Quail Run will be agenized for the meeting. He also explained a request for a signal on Deer Run Road. Mr. Brotzman's efforts to contact the residents and advise them of the staff recommendation was explained. Depending on their response, the item may be agenized for the Commission in July. Additional comments were solicited but none were given. No formal action was required or taken.
- I. ADJOURNMENT(7:30:27) Commissioner Des Jardins moved to adjourn. Commissioner Carpenter seconded the motion. Motion carried 5-0. Chairperson Aldean adjourned the meeting at 7:31 p.m.