CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the February 13, 2008, Meeting Page 1

A regularly scheduled meeting of the Carson City Regional Transportation Commission was held on Wednesday, February 13, 2008, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 5:30 p.m.

PRESENT: Chairperson Shelly Aldean, Vice Chairperson Larry Hastings, and Commissioners

Russell Carpenter, Charles Des Jardins, and Richard S. Staub

STAFF PRESENT: City Manager Larry Werner, Public Works Director Andrew Burnham, Deputy

City Engineer Jeff Sharp, Deputy Public Works Operations Manager Curtis Horton, Deputy District Attorney Joel Benton, Transportation Program Manager Patrick Pittenger, RTC Engineer Harvey Brotzman, Recording Secretary Katherine McLaughlin, and Transportation Planner Dan Doenges (RTC 2/13/08 Recording

5:33:50)

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 5:34 p.m. Roll call was taken. The entire Commission was present, constituting a quorum.
- B. APPROVAL OF MINUTES JANUARY 9, 2008 MEETING (5:34:10) Commissioner Des Jardins corrected the spelling of his name in the list of Commissioners who were present and completed the sentence on Page 2, Item F-2, Line 8, regarding the difficulty in obtaining accurate decibel readings. Chairperson Aldean corrected the spelling of "Ribeiro" on Page 4 in Item G-1. Commissioner Hastings moved to approve the Minutes as corrected. Commissioner Des Jardins seconded the motion. Motion carried 5-0.
- C. MODIFICATION OF AGENDA (5:36:02) Item F-5 was moved to the front of the F Items to allow public participation. Items F-15 and F-16 were moved to follow Item F-5. Commissioner Carpenter moved to approve the amended agenda. Commissioner Staub seconded the motion. Motion carried 5-0.
- **D. PUBLIC COMMENT (5:37:20) -** None.
- E. **DISCLOSURES** (5:37:40) None.
- F. PUBLIC MEETING ITEMS:
- F-5. ACTION TO RESCIND THE DECEMBER 7, 1995, PURCHASE AGREEMENT BETWEEN CARSON CITY AND THE SAMUEL A. LOMPA TRUST DATED NOVEMBER 17,

1993, BECAUSE THE CITY HAD DETERMINED, AT THAT TIME, THAT IT DID NOT NEED THE PROPERTY FOR THE INTERSECTION IMPROVEMENTS AT SALIMAN ROAD AND FAIRVIEW DRIVE BUT NO ACTION WAS TAKEN TO RESCIND THE AGREEMENT (5:38:02)

- City Manager Larry Werner, Duane Lompa, RTC Engineer Harvey Brotzman, Deputy District Attorney Joel Benton - An explanation was given regarding the 1995 original agreement to acquire additional rightof-way from the Lompas for the intersection. A recorded deed or record consummating the transaction cannot be found. Discussions between staff and the Lompas indicated the Lompas were not aware of a check or their having cashed a check for the purchase. Actual construction of the intersection improvements did not require the additional area. The bank does not have the cancelled check. The City's computer provided an obscure report that indicates a check was cut on 12/15/95 and voided on 12/19/95. No one knows why this occurred. The as-built drawings put the improvements in their current location. A modification to the right-of-way was not made. Information Services contacted the software manufacturer who recovered the financial transaction report providing additional detail on the check. (A copy is in the file.) This information shows that the "check came in and out of the account". An accounting showing that the funds were returned to the account could not be found. The City does not have a recorded deed or any other type of record showing that the property was purchased or used. Direction was requested from the Commission regarding whether to pursue obtaining the property or to rescind the agreement. Discussion indicated that check 2729 is for a different purchase and not related to this transaction. Check 1216 was allegedly for the purchase of additional right-of-way at Saliman and Fairview.

Ms. Lompa explained that she was unaware of there having been any documents recorded regarding the proposed acquisition. She was also not aware of the cloud that had been placed on the property due to the recording of the agreement. She recalled that RTC Engineer Brotzman had called them and advised them of the need for additional right-of-way for the intersection. He later called and said it was not needed. The "pins" and fence are in the exact same location as they were in 1995. According to her tax return, she never received a check for the sale of additional right-of-way. They did not want to sell it, however, as there was a threat of condemnation, they had agreed to the sale. She repeated her assertion that she does not recall receiving a check for the right-of-way.

Mr. Brotzman described his investigation of the site indicates that the improvements are within the existing right-of-way and had not encroached onto the Lompas' property. Assistant Engineer Rory Hogen had purportedly indicated that the improvements were moved in order to stay within the right-of-way.

Mr. Benton opined that in the future the interested parties should sign a mutual release and avoid a recurrence of the problem. He felt that the City could encounter a few problems if RTC elects to enforce the 1995 agreement. Chairperson Aldean noted, for example, that Section 3.2 requires everything to be accomplished within one year of the date of the agreement. It lacks any provisions regarding nonconformance. Mr. Werner explained staff's policy of drafting the deed and having the owner sign it. A draft of the deed has not been found. The only document staff found is the agreement to purchase. Mr. Benton opined that there is seven year statute of limitations for enforcement of the agreement. This may be one of the issues with the City's ability to enforce the agreement. He acknowledged that there are

exceptions to this statute which will have to be researched. Commissioner Staub felt that it is six year limit. Mr. Benton reiterated the need to research the issue and, specifically, the exceptions to the enforcement limitation.

Mr. Werner explained that there is now a second agreement regarding acquisition of additional property at this location. The second agreement is in escrow. The dollar value has been agreed upon. The title company discovered the original agreement but could not find the deed. If the original agreement had not been found, the second agreement would have been consummated and escrow closed. The acquisition will not cost the City any more than originally authorized by RTC several months ago. The current issue is whether the City is paying for the property twice. Both Commissioner Hastings and Chairperson Aldean felt that the record keeping on this purchase is sloppy. Commissioner Hastings felt that mistakes had been made. The purchase price of \$7,400 is not a large sum. He did not want to hold up the project for that amount. Chairperson Aldean felt that there are procedures in place to avoid a repeat of this instance. She acknowledged her personal difficulty in recalling 13-year-old incidents even though she has decent records. She was disturbed about the possibility that the City is paying for the property twice. She felt that more conscientious follow-up should occur. Mr. Werner agreed.

Mr. Brotzman felt that check 2729 is for the acquisition of right-of-way for the extension of Airport Road based on the fact that it was issued to Eva Lompa Trust. Check 1216 is to the Sam Lompa Trust. The Deputy District Attorney helping Mr. Brotzman with the purchase was Paul Lipparelli. There were three or four purchases from the Lompas at that time. Chief Deputy District Attorney Bruketta and Deputy District Attorney Benton have spent a lot of time researching the matter. Clarification explained the current City process for in-house acquisitions dealing with small amounts requires staff to have the deed before bringing the request to the Commission. A copy of the signed document is included in the Commission's agenda packet. The funds are released after the Commission approves the transaction. Public comments were solicited but none were given.

Commissioner Staub moved to rescind the December 7, 1995, Purchase Agreement between Carson City and the Samuel A. Lompa Trust dated November 17, 1993, because the City had determined at that time that it did not need the property for the intersection improvements at Saliman Road and Fairview Drive but no action was taken to rescind the agreement; and, apparently, there may be a fiscal impact of \$7,400. Mr. Werner indicated that no more money will be changing hands. Commissioner Hastings seconded the motion. Motion carried 5-0.

F-15. ACTION TO MODIFY ROUTE NUMBER 3 OF THE JUMP AROUND CARSON (JAC) TRANSIT SERVICE. AFTER MODIFICATION, CARSON CITY WILL NO LONGER PROVIDE TRANSIT SERVICE INTO DOUGLAS COUNTY, AND WILL INSTEAD SERVE ADDITIONAL AREAS WITHIN SOUTHERN CARSON CITY. THE SERVICE CHANGE WILL NOT BE IMPLEMENTED BEFORE MARCH 1, 2008 (5:59:32) - Transportation Program Manager Patrick Pittenger, Rural Center for Independent Living and Do Drop In Representative Deedee Foremaster - The Interlocal Agreement with Douglas County regarding Item F-16 was referenced. Copies of public comments received by staff regarding the proposed revision and copies of the public notices were included

in the Commission's packet. (Copies are in the file.) An onboard survey of the riders was also conducted during the comment period. Their comments are also included in the packet. The public participation policy was adhered to regarding the proposed change. Douglas County has agreed to coordinate its DART service with Carson City's JAC service at a bus stop adjacent to Fuji Park/the Fairgrounds and across the street from Costco on Old Clear Creek Road. The Douglas County Commissioners will consider the Interlocal Agreement at its February 21 meeting. Their County Manager is recommending approval and had given Mr. Pittenger a copy of his Action Request form. The DART service currently operates on a Monday through Friday schedule which poses a question regarding the Saturday riders. Mr. Pittenger was "relatively confident" that Douglas County will act favorably on the proposed agreement. He also indicated that an additional paragraph was added to the agreement on January 9, which the Douglas County Manager had approved. He believed that March 1 provides adequate time for reprinting the maps and notification to the riders. He felt that the fiscal impact created by the change will be minimal. He had allegedly advised the Commission during the January meeting that five percent of the riders will be impacted by discontinuing the service into Douglas County. As the service was going to the shopping center, he did not believe the riders would discontinue the use. They may, however, transfer to other routes or go to the Burlington Coat Factory or other shopping areas. There may be a two to three percent impact, however, it may be recovered within six months. The service is funded by Federal and local funds. It is only a small portion of the total budget. He estimated the impact to be in the \$500 to \$1,000 range. Public comments were solicited.

Ms. Foremaster supported the decision to revise the route and serve the homeless center and the Advocates' shelter. Their need for the service was described. She also commended JAC on its addition of the bicycle racks on the buses as these individual use bicycles for transportation. She hoped that more bicyclists will begin using the service now that it has the racks. She expressed her enthusiasm for the direction JAC has taken due to her belief that it provides a great service for the community. Her personal knowledge of the services provided in Provo, Utah, was described to illustrate the need for a regional transit program which provided more funding, better buses, and better access for disabled people. The same need exists in this area and, specifically, in the Lyon County/Moundhouse area. She suggested that someone look into the possibility of having a regional transportation system that links all of the neighboring counties. Both Commissioner Hastings and Mr. Pittenger felt that this may be possible in the future. CAMPO's study will include the potential of serving Lyon County and, if appropriate, the development of a cost sharing agreement for the service. Additional public comments were solicited but none were given.

Commissioner Des Jardins moved to modify Route Number 3 of the Jump Around Carson, known as JAC, transit service; after modification, Carson City will no longer provide transit service into Douglas County, and will instead serve additional areas within southern Carson City; the service change will not be implemented before March 1, 2008; fiscal impact is minimal and perhaps up to \$1,000. Commissioner Hastings seconded the motion. Motion carried 5-0.

F-16. DISCUSSION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH DOUGLAS COUNTY REGARDING THE COORDINATION OF TRANSIT

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SERVICES AT A STOP ON OLD CLEAR CREEK ROAD IN CARSON CITY (6:15:01) -

Transportation Program Manager Patrick Pittenger - Douglas County Commissioners will consider the agreement at its February 21 meeting. Its County Manager has recommended approval. A cost will not be incurred by the riders for transferring between the JAC and DART systems. The agreement is similar to the Carson City and Washoe RTC agreement. Douglas has been very cooperative in providing DART service to the transfer location on Old Clear Creek Road. Douglas will pay \$1,600 for improvements to the bus stop which will be located on the south side of Old Clear Creek Road. The funds will be matched with Federal funds. They will be used to provide and install the shelter, bench, and a trash receptacle. Justification was provided for having an engineer draft the plans for the shelter and select the location. The District Attorney's revision made to Page 2, Paragraph 7 was read. Douglas County's staff has approved the revision. Mr. Pittenger did not foresee any reasons for Carson City to terminate its service to Costco within the proposed three-year agreement of the contract. Discussion pointed out that Carson City will be responsible for maintaining the shelter. A typographical error in the fourth "Whereas" on Page 1 was noted. The reason for having RTC listed rather than Carson City was due to the fact that RTC has jurisdiction over the Carson City transportation program. Number 3 on Page 2 was changed to be located in Carson City rather than located in Carson RTC. The Page 4 signature heading was revised to remove RTC from the heading Carson RTC Regional Transportation Commission. Additional comments were solicited but none were given.

Commissioner Carpenter moved to approve an interlocal agreement with Douglas County regarding the coordination of transit services at a stop on Old Clear Creek Road in Carson City with a fiscal impact to Carson City will be the cost for maintaining the bus stop and subject to the amendments as outlined by Chairperson Aldean. Commissioner Hastings seconded the motion. Motion carried 5-0. Mr. Pittenger indicated that the changes will be made and the document given to Chairperson Aldean for her signature. Chairperson Aldean expressed her pleasure at having the agreement and her appreciation to Douglas County for its cooperation.

F-1. ACTION FOR THE ELECTION OF OFFICERS FOR RTC (6:21:54) - Commissioner Staub advised that Commissioner Aldean had expressed a desire to continue serving as Chairperson. Commissioner Hastings nominated Commissioner Aldean to continue serving as the Chairperson. Commissioner Des Jardins seconded the motion. Comments were solicited but none were given. The motion carried unanimously.

Commissioner Hastings nominated Commissioner Carpenter as Vice Chairperson. Commissioner Carpenter indicated a willingness to serve. Commissioner Staub seconded the motion. Comments were solicited but none were given. The motion carried unanimously. Chairperson Aldean complimented him on his willingness to serve.

F-2. ACTION TO APPROVE PROPOSED REVISION TO THE SNOW REMOVAL

MAP (6:24:27) - Transportation Program Manager Patrick Pittenger, Public Works Director Andrew Burnham, Deputy Public Works Operations Manager Curtis Horton - Discussion noted that some of the revisions were created by NDOT's recent relinquishment of streets. Future revisions will be created by

additional NDOT relinquishments. Justifications for some of the changes were related to travel patterns, the priority criteria, or the amount of snowfall and its impact on the residents who will be traveling the street, e.g., Hells Bells and Marsh Streets. Fire Chief Giomi allegedly had approved the reduction in priority from level one to level two on Appion. If necessary, it can be changed back to level one in the future. A notice regarding the changes was placed on the website. Door hangers advising of the change were placed on residences along the streets that had been relinquished by NDOT. Discussion also noted that Mr. Horton has a list of streets with pot holes and that Division and Fairview should be added to it. The difference in priority levels between levels one and two was described. It was felt that with the newly acquired equipment, the priority level changes would not create much of an impact on the residents. The new equipment allows for faster plowing as it does not require as many passes to do a street. When possible, staff has run two plows in tandem. If the priority needs to be revised, staff will bring the item back for Commission action. Staff attempts to plow areas where disabled or individuals needing medical attention reside as a priority one or two. There is a list of such individuals. Additional comments were solicited but none were given. Commissioner Staub moved to approve the proposed revisions to the snow removal map. Commissioner Carpenter seconded the motion. Motion carried 5-0.

- ACTION TO APPROVE AND AUTHORIZE THE CHAIR TO SIGN AN AGREE-MENT BETWEEN ALICE K. WOO AND GARY B. GOODRICH, HUSBAND AND WIFE, AND TOY NIT JAU, AN UNMARRIED WOMAN, AND CARSON CITY WHEREBY ALICE K. WOO AND GARY B. GOODRICH, HUSBAND AND WIFE, AND TOY NIT JAU, AN UNMARRIED WOMAN, AGREE TO: (1) SELL AND CONVEY A PORTION OF CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 002-133-05; AND (2) GRANT PERMISSION TO CONSTRUCT UPON, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 002-133-05 FOR THE PURPOSE OF ROADWAY CON-STRUCTION RELATED TO THE EXTENSION OF NORTH STEWART STREET (6:38:08) - City Manager Larry Werner - This acquisition is being processed in-house. The deed has been signed. Public comments were solicited but none were given. Discussion explained the use of a letter of value appraisal. Commissioner Staub moved to approve and authorize the Chair to sign an agreement between Alice K. Woo and Gary B. Goodrich, husband and wife, and Toy Nit Jau, an unmarried woman, and Carson City whereby Alice K. Woo and Gary B. Goodrich, husband and wife, and Toy Nit Jau, an unmarried woman, agree to: 1. Sell and convey a portion of certain real property described as Assessor's Parcel Number 002-133-05; and 2. Grant permission to construct upon, over and across certain real property described as Assessor's Parcel Number 002-133-05 for the purpose of roadway construction related to the extension of North Stewart Street; and the fiscal impact is \$3,600. Commissioner Des Jardins seconded the motion. Motion carried 5-0.
- F-4. ACTION TO APPROVE AND AUTHORIZE THE CHAIR TO SIGN AN AGREE-MENT BETWEEN SAMANTHA PROPERTIES, LLC, AND CARSON CITY WHEREBY SAMANTHA PROPERTIES, LLC, AGREE TO GRANT A TEMPORARY CONSTRUCTION EASEMENT AND PERMISSION FOR CONSTRUCTION OUTSIDE OF RIGHT-OF-WAY UPON, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 009-551-31 FOR THE PURPOSE OF ROADWAY CONSTRUCTION

RELATED TO THE WIDENING OF FAIRVIEW DRIVE (6:39:20) - City Manager Larry Werner - Significant negotiations had created an additional cost for attorney fees. Public comments were solicited but none were given. Commissioner Staub reluctantly moved to approve and authorize the Chair to sign an agreement between Samantha Properties, LLC, and Carson City whereby Samantha Properties, LLC, agree to grant a temporary construction easement and permission for construction outside of right-of-way upon, over and across certain real property described as Assessor's Parcel Number 009-551-31 for the purpose of roadway construction related to the widening of Fairview Drive; and the fiscal impact is \$5,970. Commissioner Hastings seconded the motion. Motion carried 5-0.

- F-6. ACTION TO APPROVE AN AMENDMENT TO THE AGREEMENT DATED SEPTEMBER 6, 2007, BETWEEN CARSON CITY AND D & SL III WHEREBY D & SL III WILL DONATE THE EASEMENT DESCRIBED IN PARAGRAPHS 1(B) AND 1(D) TO CARSON CITY AND NOT TO THE SIERRA PACIFIC POWER COMPANY (6:41:50) City Manager Larry Werner Justification for donating the property to the City rather than Sierra Pacific was based on tax advantages. The property was appraised and its value will be used by the donor. Public comments were solicited but none were provided. A typographical error in the spelling of Sierra Pacific was noted. Commissioner Des Jardins moved to approve an amendment to the Agreement dated September 6, 2007, between the Carson City and the D & SL III whereby D & SL III will donate the easement described in paragraphs 1b and 1d to Carson City and not to the Sierra Pacific Power Company and the fiscal impact is none. Commissioner Staub seconded the motion. Motion carried 5-0.
- F-7. ACTION TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A RESOLUTION DECLARING A PUBLIC INTEREST AND NECESSITY IN THE AUTHOR-IZATION OF A LAWSUIT TO EXERCISE THE POWER OF EMINENT DOMAIN FOR RIGHT-OF-WAY OF APPROXIMATELY 4,843.5 SQUARE FEET OF LAND, FOR A PUBLIC UTILITY EASEMENT OF APPROXIMATELY 2,999.4 SQUARE FEET OF LAND AND A TEMPORARY CONSTRUCTION EASEMENT OF APPROXIMATELY 4,227.5 SQUARE FEET OF LAND WHICH IS A PORTION OF APN 09-552-01 OWNED BY MISSION LINEN OF NEVADA, INC, FOR THE WIDENING OF FAIRVIEW DRIVE AND TO AUTHORIZE A STIPULATION TO ENTER ON TO THE LAND, AND TO AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TAKING (6:44:32) - City Manager Larry Werner, Deputy District Attorney Joel Benton, Public Works Director Andrew Burnham - This is a "friendly condemnation". Justification for using the eminent domain process was based on the need to move forward with the project in a timely manner. It may not go to court but could motivate the corporate office to expedite the process. The summary of appraisal established the value and is acceptable to the courts. If the appraisal becomes stale, it will be updated. There is one other piece of property that needs to be acquired for widening Fairview. Staff has received a verbal approval of the sale from that firm, however, written approval from its corporate office has not been received. It should be the last parcel needed for Fairview. Additional comments were solicited but none were given. Commissioner Hastings moved to recommend that the Board of Supervisors approve a resolution declaring the public interest and necessity in the authorization of a lawsuit to exercise the power of eminent domain for right-of-way of approximately 4,843.5 square feet of land for a public utility easement of approximately 2,999.4 square feet of land and a temporary

construction easement of approximately 4,227.5 square feet of land which is a portion of APN 09-552-01 owned by Mission of Nevada, Inc., for the widening of Fairview Drive and to authorize a stipulation to entry on to the land, and to authorize all other actions necessary to accomplish the taking; fiscal impact is \$430,000. Commissioner Staub seconded the motion. Discussion explained that the \$430,000 figure is comprised of \$80,000 for the land and the balance is for damages. They will lose parking in front of the building. The landscaping is not being disturbed. Only a small area will be left between the sidewalk and the building. The motion to recommend that the Board of Supervisors approve the use of eminent domain for the property was voted and carried 5-0.

F-8. REVIEW OF REVENUE PROJECTIONS FOR THE STREETS AND RTC FUNDS FOR FY 2007/2008 AND REVIEW ACTION BY BOARD OF SUPERVISORS ON FEBRUARY 7, 2008, TO REDUCE CAPITAL SPENDING BY \$650,000 (6:50:09) - Public Works Director Andrew Burnham - (During Mr. Burnham's introduction Supervisor Staub stepped from the room-6:51 p.m-and returned--6:53 p.m. A quorum was still present.) This year the Street and RTC revenue sources have been estimated to be down \$650,000 and \$300,000 respectively. Financial Consultant Mary Walker had assisted staff in the preparation of the report. Future projects will be impacted by the decreased revenue. The \$650,000 handwritten figure on Page 5 was the result of Board of Supervisors action at its last meeting. This figure had not been carried down the column. The figures listed in the actual columns are less than those indicated. Next month staff will bringing a transportation plan and new budget for next year to the Commission. They will contain more details than listed in this report. The Street budget will have a positive ending balance this year due to the Board's action last week. The fluctuation in the Street budget was noted. Staff will use the projections to build a conservative project list for next year. Staff will work with Finance to develop the timing and cash flow for the proposed projects. The RTC financial projections do not include the two cents that were returned by NDOT. It is estimated to be an additional \$880,000 a year. Public comments were solicited but none were given. Discussion explained that when the Street Department provides services to other Departments, it is reimbursed for those services. Streets had done work for the Parks Department and had removed the old Sheriff's Administrative Building. Additional comments were solicited but none were given. No formal action was required or taken as this is an informational item only.

F-9. PRESENTATION AND DISCUSSION REGARDING THE BASIC DESIGN CONCEPT AND POSSIBLE DESIGNALTERNATIVE ENHANCEMENTS FOR THE V&T RAILWAY BRIDGE STRUCTURE ON U.S. HIGHWAY 50 (EAST) LOCATED NEAR THE CARSON CITY AND LYON COUNTY BOUNDARY LINE 6:56:32) - Transportation Program Manager Patrick Pittenger; Manhard Consulting, Ltd., Representatives Ken Dorr and Trent Harper - Packets were given to the Commission and Clerk. (A copy is in the file.) The need for a bridge to carry the train over Highway 50 at the County line was described. Due to aesthetic concerns regarding the impact, input was solicited from Carson City. A brief summary of the status of the V&T reconstruction project was provided. Three bridge enhancement options were displayed and described. The grant funds for the gateway monument can be used to place the monument on the bridge. Additional funding for aesthetic improvements to the bridge were solicited from RTC. Commissioner Staub pointed out the fiscal constraints being encountered by the Commission as noted in the previous item. Until its budget is

considered, funding could be questionable. Comments also noted the media coverage indicating the Nevada Commission for the Reconstruction of the V&T Railway is out of funds. Mr. Dorr advised that there are funds available to reconstruct the railroad across Highway 50 and approximately one additional mile thereafter; however, this depends upon the bids. Right now the bidding climate is favorable for public works projects. The frills should be eliminated, if possible. Alternative No. 1 did not have any enhancements whatsoever. NDOT may not approve it. Alternative No. 2 may be selected as it contains some enhancements. An NDOT right-of-way occupancy permit will be required for the bridge. The project is also partially funded by Federal Highway Administration dollars. Comments also noted the detraction created by the storage unit sign that will be adjacent to the bridge crossing. The V&T Railway Reconstruction Commission had to acquire \$450,000 of property from the owners of the storage units. They are in Lyon County and want to keep the signage. Damages may have been severe if the Commission had moved against the sign. The agreement between the property owner and the Commission contains a clause prohibiting the Commission from moving against the sign in the future. Public comments were solicited but none were given. No formal action was required or taken.

F-10. ACTION TO DIRECT CITY STAFF TO DO THE FOLLOWING ON THE BASIC DESIGN CONCEPT AND DESIGN ALTERNATIVE(S) ENHANCEMENTS FOR THE V&T RAILWAY BRIDGE STRUCTURE ON U.S. HIGHWAY 50 (EAST) LOCATED NEAR THE CARSON CITY AND LYON COUNTY BOUNDARY LINE: 1) ELIMINATE CARSON CITY'S EASTERN FREESTANDING "GATEWAY SIGNAGE" AND REQUEST THE NEVADA COMMISSION FOR THE RECONSTRUCTION OF THE V&T RAILWAY (THE RAILWAY) CONTINUE TO WORK WITH CITY STAFF TO INCORPORATE THE CITY'S ENTRANCE SIGNAGE DESIGN COMPONENTS INTO THE V&T RAILWAY'S BRIDGE STRUCTURE DESIGN; 2) USE UP TO \$70,000 FROM THE COMMUNITY GRANT MATCH GATEWAY SIGNAGE" FUNDS FROM THE NEVADA DEPARTMENT OF TRANSPORTATION AND USE UP TO \$70,000 IN REGIONAL TRANSPORTATION COMMISSION MATCHING FUNDS TO PAY FOR THE INCORPORATION OF THE CITY'S ENTRANCE SIGNAGE DESIGN COMPONENTS INTO THE V&T RAILWAY'S BRIDGE STRUCTURE DESIGN; 3) SUBMIT TO NDOT'S STATEWIDE TRANSPORTATION ADVISORY COMMISSION A REQUEST TO MODIFY THE CITY'S COMMUNITY GRANT MATCH AGREEMENT TO ELIMINATE CARSON CITY'S EASTERN FREESTANDING "GATEWAY SIGNAGE" AND REQUEST FUNDS UP TO \$70,000 BE USED TO INCORPORATE THE CITY'S "GATEWAY SIGNAGE" DESIGN COMPONENTS INTO THE V&T RAILWAY'S BRIDGE STRUCTURE DESIGN; AND 4) RECOMMEND TO THE NEVADA COMMISSION FOR THE RECONSTRUCTION OF THE V&T RAILWAY APPROVAL OF THE BASIC DESIGN CONCEPT, INCLUDING THE INCORPORATION OF VARIOUS DESIGN ALTERNATIVE ENHANCEMENTS AND THE CITY'S "GATEWAY SIGNAGE" DESIGN COMPONENTS INTO THE V&T RAILWAY'S BRIDGE STRUCTURE DESIGN ON U.S. HIGHWAY 50 (EAST) LOCATED NEAR THE CARSON CITY AND LYON COUNTY BOUNDARY LINE (7:13:02) - Transportation Program Manager Patrick Pittenger, Public Works Director Andrew Burnham, Manhard Consulting Representative Ken Dorr - Direction regarding the type of signage desired for the gateway and its placement was requested. If RTC wants the signage on the Bridge, the Statewide Transportation Advisory Commission

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will be asked to approve moving one gateway monument sign to the bridge and using its share of the grant for this purpose. RTC can use its funds to meet the matching funding requirement. It is estimated that RTC's share would be \$70,000. Direction regarding this use of RTC funds was solicited. The original unsuccessful grant application was submitted by the Parks Department under a separate funding category. Mr. Pittenger later submitted a second grant application under a community match program that requires a 50% match. His application was successful. Therefore, RTC must find the matching funds rather than the Parks Department. Comments were solicited.

Commissioner Staub noted the Board of Supervisors and community-wide support for the Railway project. He wished to see other jurisdictions support the Railway. Based on the City's contributions, which have been substantial, to the project and its current financial picture, he was not prepared to give another \$70,000 to the project. If options three or four can be done, he was willing to support them.

Commissioner Carpenter felt that having Carson City's welcome sign on the bridge is a great idea. It will provide what could be the only connection between the railroad and Carson City. The railroad goes to Virginia City and not Carson City. It comes back to Carson City. The sign will provide some recognition. Spending \$70,000 to match \$70,000 is good marketing. The City will not always be facing a budget crunch. The bridge will always be there.

Mr. Pittenger pointed out that the \$70,000 figure was one he had suggested. The Commission could allocate any amount desired.

Chairperson Aldean felt that if something is done, it should be done properly. It will be a substitute for the original vision. She felt that the signage proposed in Alternative 3 should be used for that reason. Her original involvement with the gateway signage project was limned. She had supported the use of the gateway signage monuments to lure people off of the freeway. Discussion noted that if the grant is not used, it will be lost. It will be included in the transportation improvement plan. The funds will not be available until 7/1/08. Chairperson Aldean felt that the question is whether a portion of the grant should be used to improve the bridge's aesthetics or for the three freestanding gateway monuments.

Commissioner Hastings noted that Highway 50 is known as the "loneliest highway". He supported the "bare bones" structure for that reason. Commissioner Des Jardins indicated his support of Chairperson Aldean's comments.

Commissioner Carpenter then expressed his belief that Carson City needs to market itself. It will cost money to do it. The current financial straits is created by the lack of marketing. The proposal improves the image of the City as people enter it. The funds should be spent for this purpose.

Chairperson Aldean suggested that a fifth condition be added to the recommended motion. It would have staff submit a request to change the purpose of the grant funds and allow RTC to have a final say on the design and use of the \$70,000.

Mr. Pittenger advised that Mr. Dorr's request was to determine the amount of funding that would be available for his project. Mr. Dorr would then return in March to tell the Commission what could be done with those funds. The request to the Statewide Transportation Advisory Commission will be made in April.

Commissioner Staub reiterated his request to see the budget and project list before allocating funding for this purpose. Justification for his recommendation was provided. Mr. Pittenger advised that this information will be provided at the March meeting. Commissioner Staub recommended that action be deferred to that meeting.

Discussion indicated that the grant funds will be available in fiscal year 2008-09. Mr. Pittenger will check with NDOT to determine if these funds can be extended into future years. Mr. Burnham pointed out the Railway/Mr. Dorr's desire to move forward with its construction plans. Chairperson Aldean pointed out that the construction will not cross the Highway before the next meeting.

Mr. Dorr explained that construction of the bridge is in the next phase of the project. It may be advertised in May with construction to start within two to three months. Construction will take nine months to complete. He reiterated that there are funds for this portion of the project, however, there are no funds for the Carson River Canyon project. He indicated that a one month delay would not create a problem as they are completing the technical plans at this time. The overall construction of the project will not be impacted by the delay although its lighting could be a problem. The texture will have to be included in the project. The sign, lighting, and a "couple of the enhancements" will not be part of the plan. They can be added at the end of the construction project.

Commissioner Des Jardins supported Chairperson Aldean's idea about getting better gateway signage and advertising for the community. Acting on the request is a timing issue which is Commissioner Staub's concern. It is more than just the \$70,000. Commissioner Des Jardins supported the recommendation to defer action until the budget and proposed projects are available. Mr. Burnham indicated that the \$70,000 would be "lost in the rounding" of the budget for the projects which includes multi-million dollar projects. The signage grant requires a commitment of \$210,000. Staff is proposing to bring forward a bond for \$11 to \$12 million which is needed for the proposed projects. He agreed that the project should be compared to the other projects for the community.

Chairperson Aldean questioned whether anyone knows the proposed locations for the signs and if additional easements are needed. Mr. Pittenger explained that this information will be brought to the Commission when the funds are available. Staff has a general idea about the placement locations. The issue of the bridge, however, had expedited the need for discussion sooner than planned as it is within feet of the county line and is at the gateway. Chairperson Aldean directed staff to accelerate the project and deferred action on the item to the March meeting. No formal action was taken.

RECESS: A recess was declared at 7:35 p.m. The entire Commission was present when Chairperson Aldean reconvened the meeting at 7:42 p.m., constituting a quorum.

- F-11. ACTION TO AWARD CONTRACT 0708-084 "FAIRVIEW DRIVE WIDENING PROJECT" TO SIERRA NEVADA CONSTRUCTION, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR A BID AMOUNT OF \$3,689,447 PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$368,950 FROM THE RTC CONSTRUCTION FUND AS PROVIDED FOR IN FY 2007-2008 (7:42:00) RTC Engineer Harvey Brotzman, Public Works Director Andrew Burnham A summary of the bids was provided. Sierra Nevada Construction did not have a representative present. The bids were felt to be an indication of the current bidding climate. Staff is working to get more projects out to bid. The consultants have been asked to rework their estimates in the hope of having a better figure to compare with the bids. Public comments were solicited but none were given. Commissioner Staub moved to award Contract 0708-084 Fairview Drive Widening Project to Sierra Nevada Construction, Inc., as the lowest responsive and responsible bidder for a bid amount of \$3,689,447 plus a contingency amount not to exceed \$368,950 from the RTC Construction Fund as provided for in FY 2007-2008. Commissioner Hastings seconded the motion. Motion carried 5-0.
- F-12. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE "CONSTRUCTION MANAGEMENT/INSPECTION/TESTING FOR FAIRVIEW DRIVE WIDENING PROJECT", CONTRACT 0708-116, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO CM WORKS, INC., IN AN AMOUNT NOT TO EXCEED \$597,392 FROM THE FAIRVIEW REPLACEMENT SEWER, FAIRVIEW WATER REPLACEMENT, FAIRVIEW DRIVE WIDENING, AND RTC PROJECT - DRAINAGE FUNDS AS PROVIDED IN FY 2007-2008 (7:45:00) - Public Works Director Andrew Burnham, CM Works, Inc., Vice President Darren Schulz - They have opened an office on Fairview. The price could be reduced if the City Inspectors are available to conduct the inspections. There are a number of water and sewer projects on hold which would allow the Inspectors to be transferred to this project. The construction period was reduced to 275 days to comply with NDOT's timing requirements. The reduction increased the cost of doing the project due to the need to require 10 to 12 hour construction days and necessitated a public relations effort and coordination with the businesses that will be impacted. Chairperson Aldean encouraged them to cooperate and coordinate the construction with the Chamber of Commerce. Mr. Burnham agreed to do so. Mr. Schulz expressed his enthusiasm for the project. He opened an office on Fairview in order to be close and accessible. He will be onsite. He acknowledged that it will be a temporary office although the firm is based in south Reno and had been looking for opportunities to work in Carson City. Additional comments were solicited but none were given. Commissioner Carpenter moved to accept Public Works recommendation on the Construction Management/Inspection/Testing for Fairview Drive Widening Project, Contract No. 0706-116, and authorize Public Works to issue payments to CM Works, Inc., in an amount not to exceed \$597,392 from the Fairview Replacement Sewer, Fairview Water Replacement, Fairview Drive Widening, and RTC Project-Drainage Funds as provided in FY 2007-2008; fiscal impact is not to exceed \$597,392. Commissioner Des Jardins seconded the motion. Following a request for an amendment, Commissioner Carpenter amended his motion to be for Contract 0708-116. Commissioner Des Jardins concurred. Motion carried 5-0.
- F-13. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE CURRY STREET IMPROVEMENTS-ENGINEERING SERVICES: PHASE I THROUGH PHASE VI

PROJECT, CONTRACT 2007-018, AMENDMENT 1, AND AUTHORIZE PUBLIC WORKS TO ISSUE ADDITIONAL PAYMENTS TO MANHARD CONSULTING, LTD., IN AN AMOUNT NOT TO EXCEED \$180,640 FROM THE CONSTRUCTION PROJECT-ROAD CONSTRUCTION FUND AS PROVIDED IN FY 2007-2008 (7:50:02) - RTC Engineer Harvey Brotzman - Following Mr. Brotzman's introduction, comments were solicited but none were given. Commissioner Des Jardins moved to accept Public Works recommendation on the Curry Street Improvements—Engineering Services Phase I through Phase VI Project, Contract No. 2007-018, Amendment No. 1, and authorize Public Works to issue additional payments to Manhard Consulting, LTD., in an amount not to exceed \$180,640 for (from) the Construction Project—Road Construction Fund as approved in FY 2007-2008; fiscal impact not to exceed \$180,640. Commissioner Staub seconded the motion. Motion carried 5-0.

F-14. ACTION TO ACCEPT THE RECOMMENDATION OF PURCHASING AND CONTRACTS TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED AND APPROVE THIS RELEASE OF FINAL PAYMENT IN THE AMOUNT OF ONE HUNDRED FOUR THOUSAND SEVEN HUNDRED EIGHTY-FOUR DOLLARS AND FIFTY-FIVE CENTS (\$104,784.55) ON THE "2007 STREET MAINTENANCE PROJECT", CONTRACT 2006-148, TO SIERRA NEVADA CONTRACTORS (7:51:59) - RTC Engineer Harvey Brotzman, Public Works Director Andrew Burnham - The change order summary was listed on Page 3. Other projects handled by the contractor were noted. Due to problems encountered with the micro-chipping, another contractor with more experience completed the deleted projects. Commissioner Carpenter moved to approve the recommendation of Purchasing and Contracts to accept the work as completed, to accept the Contract Summary as presented, and approve this Release of Final Payment in the amount of \$104,784.55 on the 2007 Street Maintenance Project, Contract No. 2006-148, to Sierra Nevada Contractors; there is not additional fiscal impact. Commissioner Staub seconded the motion. Public comments were solicited but none given. Motion carried 5-0.

G. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS) (7:54:14)

- G-1. CIP REPORT (7:54:19) Public Works Director Andrew Burnham The packet included all of the Capitol Improvement Projects for the City. Some of the items are on hold due to the budget. Commissioner Des Jardins thanked staff for the report which he felt was very helpful. Mr. Burnham indicated it will be on the website. A map is under construction and will be added to the website. The status of the North Stewart Street extension was provided. A two to three-month short term note may be issued as the bond issue may not be processed quickly enough for this project to move forward. Staff hopes to have it out to bid this summer. The School District site is the last acquisition. Mr. Burnham hoped to close it in two months. Additional comments were solicited but none were given. No formal action was required or taken.
- **G-2. STREET OPERATIONS REPORT (7:58:20)** Public Works Director Andrew Burnham City crews are busy with crack sealing. Slurry sealing will occur next summer.

G-3. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION

(7:58:48) - Transportation Program Manager Patrick Pittenger - Last year's CDBG application was for sidewalks in the Empire Elementary School area. An agreement on those funds has been signed. The application in the packet is for the downtown area and a portion of Fifth Street. It stands a good chance of being funded. The project was described. Justification for selecting these areas was provided. An application for ADA improvements for a location on Fifth Street has been received. If possible, the CDBG grant will be used for these improvements. The timeframe for responding to ADA requests was briefly provided. It may be necessary to use leftover funds from the ADA allocation made by the Commission in October for the Fifth Street ADA improvements to comply with the timeframe. Comments were solicited but none were given. No formal action was required or taken.

- **G-4. UPDATE ON QUAIL RUN (8:02:34)** Transportation Program Manager Patrick Pittenger Twenty-one homeowners are part of the project. Seventeen have executed agreements. Fourteen of the 17 have applied and received reimbursements. Reminder letters have been sent to the four that have not applied. One of them called and allegedly indicated that he/she did not want contacted again. Additional comments were solicited but none were given. No formal action was required or taken.
- G-5. FUTURE AGENDA ITEMS (8:03:54) Transportation Program Manager Patrick Pittenger, Public Works Director Andrew Burnham The list of items included the sound policy issue; the landscape agreement with GROW; the two remaining Fairview right-of-way acquisitions; an amended contract for Carson-Fairview with Louis Berger; and a proposal from NDOT on funding for the Carson-Fairview improvements which was necessitated by the increased costs of this project. Discussion noted the status of the NDOT and GROW landscape agreement. The agreement is at the Attorney General's Office. Staff has not heard from it. The importance of finalizing the agreement and finding funding for maintenance was stressed. Mr. Pittenger indicated that the budget, the transportation improvement plan, and the V&T bridge will also be agendized for the next meeting. Discussion then indicated that the CAMPO agenda will include the public participation plan, election of officers, the transit development plan, the regional transportation plan, and CAMPO's goals and objectives for that plan. Comments stressed the need for responses from NDOT, Carson City, Douglas and Lyon Counties regarding projects they wish to see in the regional transportation plan and their potential funding sources. It was felt that Dan Holler will represent Douglas County at the March CAMPO meeting. Additional comments were solicited but none given. No formal action was required or taken.
- **I. ADJOURNMENT (8:10:10) -** Commissioner Hastings moved to adjourn. Commissioner Des Jardins seconded the motion. Motion carried 5-0. Chairperson Aldean adjourned the meeting at 8:12 p.m.

The Minutes of the February 13, 2008, Carson City Regional Transportation Commission meeting

ARE SO APPROVED ON March 12, 2008.

/s/ Shelly Aldean, Chairperson