

**REGIONAL TRANSPORTATION COMMISSION
WASHOE COUNTY, NEVADA**

FRIDAY

9:02 A.M.

December 18, 2009

PRESENT:

**David Aiazzi, Reno City Councilman, Chair
Ron Smith, Sparks City Councilman, Vice Chair
Dwight Dortch, Reno City Councilman
Bob Larkin, Washoe County Commissioner
David Humke, Washoe County Commissioner**

**Lee G. Gibson, Executive Director
Stan Peck, Legal Counsel**

The regular monthly meeting, held in the Board Room of the Jerry L. Hall Regional Transportation Center, 2050 Villanova Drive, Reno, Nevada, was called to order by Chairman Aiazzi. Following the Pledge of Allegiance to the Flag of our country, the Board conducted the following business:

Item 1(a) RECOGNITION OF RTC'S CAMP CHRISTMAS PROGRAM

Chairman Aiazzi presented certificates of appreciation and spoke in recognition of Bill Schultz from Sunny 106.9, Sally Nor-guard of Meadowood Mall, The Salvation Army, represented by Carole Miller, and also Joe Jackson, RIDE Director of Maintenance, and his utility staff Manny Sandoval and Denise Benally for decorating the Toyland Express bus, for their participation in the 6th Annual Camp Christmas event.

Mr. Schultz thanked the RTC for always participating in this program and emphasized what a group effort the event is. Ms. Carole Miller of The Salvation Army stated that 800 families per day have been coming in to pick out toys for their children so this is a much needed program. Ms. Miller also thanked everyone for their continued participation.

Item 2 APPROVAL OF AGENDA

Chairman Aiazzi requested that Item 7(c) be moved up in the agenda to just prior to the consent items.

On motion of Commissioner Larkin, seconded by Commissioner Dortch, which motion unanimously carried, Chairman Aiazzi ordered that the agenda for this meeting be approved with the aforementioned request included.

Item 3(a) PUBLIC INPUT

Chairman Aiazzi opened the meeting to public input and called on anyone wishing to speak on topics relevant to the Regional Transportation Commission (RTC) that are not included in the current agenda.

Mr. Richard (Skip) Daly, representing Laborer's Union Local 169, spoke in favor of the Pyramid/McCarran intersection project, and believes the construction prices are as low as they are going to get.

Mayor Geno Martini of the City of Sparks spoke in favor of the Pyramid/McCarran intersection project adding that this project has been on the books for a long time and is definitely needed. He added that there will be many public meetings held to keep everyone informed.

Mayor Martini also spoke in favor of the Southeast Connector project, feels that it is long overdue, and agrees with Mr. Daly that the pricing for any of these projects is not going to improve by waiting.

Mr. William Brainard, local resident, spoke in favor of the Southeast Connector and Pyramid/McCarran projects and does not believe either should be postponed any longer.

Mr. Buzz Harris, representing the Road to the Future, spoke in favor of the Southeast Connector and Pyramid/McCarran projects, as well as other pending projects, in order to put people back to work and get things moving along and using RTC-5 funding to pay for them since it is available.

Mr. Scott Smith, representing the American Council of Engineering Companies (ACEC), spoke in favor of applying the RTC-5 funding to the "high priority" projects that were listed in RTC-5 materials that went before the voters. Mr. Smith added that his members campaigned heavily to have RTC-5 passed and would like to see the jobs start to come from it.

Mr. Blake Smith, RTC Blue Ribbon Committee Member and local resident, spoke in favor of implementing the "high priority" projects listed in the RTC-5 materials as quickly as possible to help address the historical unemployment issues in the community. Mr. Smith submitted a written document for the record as well.

There being no one else wishing to speak, the Chairman closed public input.

Item 3(b) ADVISORY COMMITTEE SUMMARY REPORT

On motion of Commissioner Dortch, seconded by Vice Chair Smith, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the monthly Advisory Committee Summary Report be acknowledged.

Item 7(c) AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO ISSUE A PURCHASE ORDER TO SIERRA FREIGHTLINER IN THE AMOUNT OF \$41,624.78 FOR THE REPAIR OF BUS 507 (taken out of order)

On motion of Commissioner Dortch, seconded by Vice Chair Smith, which motion unanimously carried, Chairman Aiazzi ordered that the Executive Director be authorized to issue a purchase order to Sierra Freightliner in the amount of \$41,624.78 for the repair of bus 507.

Item 4 CONSENT ITEMS

- (a) Recommendation to approve the minutes of the November 20, 2009, meeting**
- (b) Recommendation to approve monthly Engineering Report**
- (c) Recommendation to approve monthly Public Transportation Report**
- (d) Recommendation to authorize the Executive Director to execute contracts with underwriters for the Revenue Bond Sale to be completed in March 2009**
- (e) Recommendation to approve Amendment No. 1 to the approved FY 2011 RTC Regional Road Impact Fee (RRIF) Street and Highway Program of Projects (POP)**
- (f) Recommendation to acknowledge receipt of the Regional Road Impact Fee Technical Advisory Committee (RRIF TAC) update**
- (g) Recommendation to approve the Coordinated Human Services Public Transit Plan Update and FFY 2011 Projects**
- (h) Recommendation to approve the member appointment and re-appointments for the Citizens Advisory Committee (CAC)**

Commissioner Larkin asked and whether the reference to the year 2009 in Item 4(d) was a typo that should have been 2010. Tom Taelour, RTC CFO, responded yes. Commissioner Larkin then asked if the RTC has received any of the Build America bonds or RZED bonds and Mr. Taelour said that the receipt has been applied for and is currently planned for January 2010. Commissioner Larkin had questions about the taxable and non-taxable status of specific bonds. Mr. John Bonow clarified that there are tax credit bonds and tax subsidy bonds. The tax credit bond gives the benefit to the holder of the bond. The bonds in discussion are not tax credit bonds. There are also federal subsidies that flow back to the RTC which are tied to the payment dates on the bonds.

Chairman Aiazzi asked if RTC staff is continuing to work with REA 250 on the H2Fuel Project and Lee Gibson, RTC Executive Director, replied that legal counsel is reviewing the grant agreement and has not yet reached a decision as to whether a consultant can be hired based on a sole source selection.

Chairman Aiazzi asked what the status is of the sound wall vs. rumble strip issues on Vista Blvd. Vice Chair Smith responded that the residents of The Vistas do not want a sound wall but the residents of Wingfield Hills do want a sound wall. Therefore the funds budgeted will need to be changed to accomodate creating a shorter sound wall. The funds originated from the Vista Widening project and it is not yet determined if the sound wall can be done but is currently in the review process.

On motion of Commissioner Larkin, seconded by Commissioner Humke, which motion carried unanimously, Chairman Aiazzi ordered that Consent Item 4(a) through 4(h) be approved.

Item 5(a) FY 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND AUTHORIZATION FOR DOCUMENT SUBMITTAL TO THE NEVADA DEPARTMENT OF TAXATION

Tom Taelour, RTC Director of Finance, introduced Ms. Felicia O'Carroll, Partner with Kafoury, Armstrong & Co. in charge of the RTC Audit, presented their unqualified opinion which is the highest level of assurance that the accounting profession offers and sets forth the responsibilities of the RTC and the auditors. There were no findings of any kind. Ms. O'Carroll then introduced Ms. Sherry Russell of Kafoury, Armstrong & Co.

Ms. Russell provided additional financial detail, explaining an accumulation of "major and non-major" funds. The "major" funds for the RTC are the General Fund, the RRIF Fund, the Paratransit Services Fund, and Public Transit Fund. Each major fund is audited separately and a separate opinion is presented on each of them.

Ms. Russell then discussed the Net Asset Report for the RTC as shown on June 30, 2009. The Net Asset total for the RTC on that date was \$93 million, made up of total assets of \$109 million and liabilities of only \$16 million. This is down from the prior year at \$99 million.

The total assets are broken into three categories: Invested in Capital Assets, Net of Debt - \$65 million; Restricted (mainly road capacity improvement) - \$7 million and \$1 million for grants and studies; Unrestricted (available for operations) - \$20 million. In the prior year, the unrestricted amount was \$26 million.

The statement of activities explains shows how the RTC resulted in this year's ending balance as compared to last year's ending balance. It displays how much of our functions are self supporting and the RTC has none. This makes sense because the RTC's primary revenue sources are from motor vehicle fuel tax and public transportation (sales) tax which make up 47% of the revenue. This revenue is down by 7% this year at almost all entities audited this year. Governmental fund net assets decreased by \$9.6 million but business activities net assets increased by \$3.7 million, which constitutes a total decrease of \$5.9 million.

For full disclosure, the notes to the financial statements include detailed information regarding cash, capital assets, retirement plans, and debt. The most important note states that Kafoury, Armstrong & Co. did not find any potential violations of statute or Nevada administrative code while conducting the audit.

The CAFR was ready and waiting for audit on the day the auditors arrived which Ms. Russell stated, "never happens." This only occurs at the RTC and Ms. Russell credited the RTC Finance Department for making it happen. Additionally, the RTC is not charged for the full audit fee because it does not take as long as a standard audit.

Mr. Taelour also thanked his staff and added that their goal is to have no findings and no comments, and this is the second year in a row they have achieved that goal. Mr. Taelour thanked all of the RTC staff and Kafoury, Armstrong & Co. for their great partnership.

On motion of Commissioner Humke, seconded by Commissioner Larkin, which motion unanimously carried, Chairman Aiazzi ordered that receipt of be acknowledged and RTC staff is authorized to submit the document to the Nevada Department of Taxation.

Item 5(b) DIRECTOR'S REPORT

Lee Gibson, RTC Executive Director, offered to answer questions from the Board on internal RTC issues as set forth in the staff report for this agenda item. There were no questions.

Chairman Aiazzi called Blossom Javier to the podium as she had submitted a request to speak on Item 4(g).

Ms. Javier, representing the Northern Nevada Center for Independent Living (NNCIL), spoke on the Peer Transit Host program included in the RTC plans for JARC funding. Ms. Javier wished to thank the RTC Board for approving the item pertaining to these funds as this program will not only save transportation costs but will open doors to those with severe physical and mental disabilities living in our region.

The Chairman praised NNCIL for the wonderful work they do for our community.

Item 6(a) MOANA LANE WIDENING-VIRGINIA STREET TO I-580 RAMPS

David Logan, RTC Engineer II, addressed the Board, gave a brief presentation, and answered questions regarding the recommendation to acknowledge receipt of the Moana Lane Widening-Virginia Street to I-580 Ramps project update, as set forth in the briefing materials for this agenda item.

The funding for this project is provided by the Regional Road Impact Fees (RRIF) and RTC-5 revenue bonding. The current estimate for design is \$677,000, Right-of-Way (ROW) is \$12,140,000, and construction and construction management is \$10,183,000, with a total estimate of \$23 million.

Mr. Logan then provided the current status of all aspects of the project and Joe Mactutis, Project Manager with STANTEC, gave an "aerial fly-over" presentation of the project to the Board.

Chairman Aiazzi asked which parcels on the northeast corner of Kietzke and Moana would need to be purchased. Mr. Mactutis replied that it is not possible to provide an exact number at this point in time in the project and appraisals and negotiations will still need to be completed. Stan Peck, RTC Chief Legal Counsel, added that there have been changes in the property owner's bill of rights which say that highest price provided must be paid for acquisition of a property. It also includes additional costs to provide for experts, professional services, etc. Staff is currently in the

planning process and not yet in the acquisition process, so an exact date for acquisitions cannot be provided at this time.

Mr. Mactutis then continued with his presentation.

Commissioner Larkin commented on the problems that have arisen with the Pyramid/McCarran project with regard to home owners, acquisitions, ROW, etc., and asked what assurances have been put into place to avoid these same issues. Bob Russell, RTC Engineering Director, replied that public meetings are planned and individual property owners will be contacted and appraised of the situation prior to any ROW acquisitions. These plans have been incorporated into the Engineering Dept. processes and procedures as well as the appraiser's.

Commissioner Larkin asked how the problem with pavement "push-up" will be addressed in this project and Mr. Russell replied that staff is paying close attention to this problem so that the same problems that have occurred at the Neil Road roundabout won't happen again.

There was discussion on staging of the work and the possibility of creating jobs on some of the smaller portions if staging could take place. No decisive answers came out of the discussion.

On motion of Commissioner Humke, seconded by Commissioner Dortch, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the Moana Lane Widening-Virginia Street to I-580 Ramps project update be acknowledged.

Item 6(b) RTC RAPID YEAR 2 STATIONS

Howard Riedl, RTC Senior Engineer, addressed the Board, gave a brief presentation, and answered questions regarding the recommendation to acknowledge receipt of the RTC RAPID Year 2 Stations project update, as set forth in the briefing materials for this agenda item.

This specific project will develop up to 14 stations or enhanced bus stops as envisioned in the locally preferred alternative as a result of the Virginia Street Corridor Transit project. Mr. Riedl's presentation included several design examples from different cities which include art components that are a mandatory requirement as part of the CMAQ funding. The total cost of the stations is currently estimated at \$80 thousand.

Chairman Aiazzi asked if every station is required to have an equal amount of funding spent on it for the art aspect or if some can incur more cost than others. Mr. Riedl replied that the RTC has wide latitude on how the funds are distributed. Mr. Riedl added that the Arts and Culture Commission can also be involved with the process and make a recommendation back to the RTC Board at a future meeting.

Full stations are planned for the Atlantis, the Peppermill, the Virginia Lakes Crossings development, the Convention Center, and possibly others could be added where easements can be easily obtained. Chairman Aiazzi mentioned that there has been discussion about making Center Street, south of Liberty, a two way street again which would open some possibilities for the

RAPID route. Mr. Riedl offered to take that idea through the public meeting process and bring back the input to a future meeting. Two initial public meetings are currently scheduled, with the first scheduled in February.

This project has a very aggressive project schedule but the hope is to complete the stations in time for the opening of the new 4th Street Station. This update will be a standard monthly item on the RTC Board Meeting Agenda.

Mr. Riedl asked for direction on what amount of funding to pursue for the art concept of the stations. Commissioner Humke suggested that the funds should be consolidated rather than divided equally amongst the stations, and staff should pursue the amount of 2%.

On motion of Commissioner Humke, seconded by Commissioner Dortch, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the RTC RAPID Year 2 Stations project update be acknowledged with direction to pursue an amount equal to 2% of total funding for the art concept portion of the project.

Item 6(c) COOPERATIVE TRAFFIC MANAGEMENT PROJECT

Jim Poston, RTC Engineer II, addressed the Board with a status update regarding the recommendation to acknowledge receipt of the Cooperative Traffic Management project update, as set forth in the briefing materials for this agenda item.

Mr. Poston explained that this is a cooperative project involving both the RTC and NDOT, with NDOT funding this portion of the project. The intent is to figure out how different agencies in the region work together now and how they can all work better together in the future. There is thought being given to sharing a new dispatch system being created for the area emergency responders. The Dispatch Center is very similar in operation to a Traffic Management Center so the facility could be potentially be shared with area traffic managers.

The initial kick-off meeting was held in the week prior to the RTC Board meeting and all parties involved seemed very excited at the prospect of this idea. The group plans to continue meeting on a monthly basis. Mr. Poston described the project steps involved and stated that the entire project has an expected time of completion of August 2010. Mr. Poston then introduced Mr. Scott Rawlins, Deputy Director of NDOT.

Mr. Rawlins addressed the Board and expressed the importance of this type of project on a national level, and to have a program already in place to utilize the funding available is also very important.

Executive Director Gibson added that he also fully backs this program.

Vice Chair Smith asked if a new building would be built and Mr. Rawlins said that it is being looked at but has not been decided at this time. The Vice Chair suggested that existing buildings be looked at first as there are so many sitting empty right now.

Commissioner Larkin asked if this is the same project that was “killed” at a previous Board meeting and Bob Russell, RTC Engineering Director, said that it had been brought before the Board in an RTIP amendment and at that time, Commissioner John Mayer asked for additional studying to be done and brought back to the Board. At a later meeting, the RTC Board directed staff to begin a feasibility study. Mr. Russell explained that this is a continuation of that request and RTC staff is currently working with NDOT on the feasibility study. Mr. Russell added that the idea of a “virtual” center is also being considered.

Commissioner Larkin asked how this would tie into the emergency dispatch centers in the area and Robert Chisel of NDOT replied that all of those different agencies are currently involved in discussions and many are interested in working together on the study. The study results will be brought back to the Board in March 2010.

Commissioner Humke asked if the existing regional dispatch center would be taken over by the state and Mr. Chisel said no, the state does not do that. It could be a partnership but not a takeover.

This study is being paid for out of the state funds and not the general fund or with CMAQ funds.

Commissioner Larkin said he has a vision where the public has the option of accessing much of the information pertaining to traffic so they have the ability to re-route themselves around any traffic problems.

On motion of Commissioner Dortch, seconded by Commissioner Larkin, which motion passed 4 - 1, with Commissioner Humke against, Chairman Aiazzi ordered that receipt of the Cooperative Traffic Management project update be acknowledged.

Item 6(d) AUTOMATIC INCREASE OF THE REGIONAL ROAD IMPACT FEES (RRIF)

Chris Louis, RTC Sr. Traffic Engineer, addressed the Board and commented that a public comment had been submitted pertaining to this topic. Chairman Aiazzi then called Teresa Di Loreto-Long to the podium.

Ms. Di Loreto-Long spoke on behalf of her father, Perry Di Loreto, who submitted a letter to be read into the record. This letter reflects Mr. Di Loreto’s support of the automatic, annual increase of the Regional Road Impact Fees (RRIF). The letter went on to say that the local developers had previously agreed to this increase and asked the RTC Board to adhere to the agreed schedule.

Chairman Aiazzi then asked the Commissioners if there were any questions on this item.

Commissioner Larkin asked what the status is of the review of the model that this increase was based on. Bob Russell, RTC Engineering Director, replied that there have been monthly Technical Advisory Committee (TAC) meetings which have walked the members through all aspects of the model and have requested recommendations from them. The meetings are continuing and their recommendations will be brought forth at a future date.

Executive Director Gibson said that all parties are working together to come to agreement and make sure that our program is not only helping the businesses but will be in place to aid in the economic recovery when the time comes.

Commissioner Larkin asked that additional information updates be brought to future meetings to ensure that our model is still on track.

Chairman Aiazzi confirmed that the CIP is inflating by 3.1% and asked if there is a different percentage used for road construction. Mr. Russell stated that the NRS defines what averages are required for each.

On motion of Commissioner Humke, seconded by Commissioner Larkin, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the report regarding the automatic increase of the RRIF, in accordance with local Ordinances, as part of the second year of the five year phase-in schedule in conjunction with an automatic annual indexing of the RRIF be acknowledged.

Item 7(a) FY 2009 BUS STOP CAPITAL IMPROVEMENT PROGRAM (CIP)

Tina Wu, RTC Sr. Planner, addressed the Board and gave a presentation showing the locations where improvements have been made. The FY 2009 Bus Stop CIP included 12 locations throughout Reno, Sparks, and Washoe County. These improvements consisted of the construction of concrete boarding pads, sidewalks, and wheelchair access ramps to improve access to RTC RIDE bus stops. The total improvement costs were \$55,589.

Chairman Aiazzi asked what is required to have a bus stop qualify for a “bus shelter.” Ms. Wu replied that there needs to be approximately 50 passengers per day getting on the bus at the location.

On motion of Commissioner Dortch, seconded by Commissioner Larkin, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the status report on the FY 2009 Bus Stop Capital Improvement Program be acknowledged.

Item 7(b) FEDERAL FY 2009 TRIP REDUCTION PROGRAM

Carol Perry, RTC Trip Reduction Specialist, addressed the Board and gave a presentation highlighting the benefits of the program and the manner in which it aids both the users of the program and the employers that partner in the program. The program also improves air quality in our region and reduces our carbon footprint.

The RTC matches an employer’s subsidy of a 31-day bus pass up to 20% and it is in this area that the program has been most affected by the downturn in the economy. The RTC has lost four business partners in the past fiscal year and the number of passes sold through the program has dropped 20% as employee staffing levels also dropped. However, the remaining partners have all achieved a significant mode split of approximately 6%.

Chairman Aiazzi commended Ms. Perry for her continuous public participation in support of these programs for our community.

On motion of Vice Chair Smith, seconded by Commissioner Larkin, which motion unanimously carried, Chairman Aiazzi ordered that receipt of the report on the Federal FY 2009 Trip Reduction Program be acknowledged.

Item 7(d) RTC BOARD 4TH ST. STATION SUBCOMMITTEE RECOMMENDATIONS

Chris Tschirhart, RTC Engineer II, addressed the Board to provide information on the meeting of the RTC Board 4th St. Station Subcommittee and recommendations that came out of that meeting. The subcommittee consists of Chairman Aiazzi and Commissioner Dortch.

The subcommittee recommended that the RTC Board approve the following recommendations:

- A. Approve the recommended design and construction changes to the 4th Street Station transit center consisting of:
 - 1. Improvements to accommodate the new RTC RAPID (Bus Rapid Transit) service loading bays
 - 2. Add solar panel system capacity to generate more electricity onsite
 - 3. Modify the passenger services window to make it more customer friendly

Chairman Aiazzi questioned the number of years quoted for estimated payback of 8.3 years without rebates. The Chairman believes the payback is closer to 12-15 years and would like more research to be done on this. The Chairman added that there was discussion at the subcommittee meeting of possibility of using the solar panels at the Centennial Plaza building if it would be of greater benefit.

Additionally, the City of Sparks included a rider in their solar contract which states that the City of Reno can tag on to their agreement. Their bid agreement included a very good price for solar installation.

- B. Authorize removal of some of the indoor and outdoor monitors at 4th Street Station in accordance with staff recommendations as specified in the contract award and authorize the Executive Director to approve all contract modifications necessary to implement this direction. This would save approximately \$229,000, not including the operating cost of running the additional monitors.
- C. Keep the smoking areas as designed on the north and south islands at 4th Street Station, and remove the smoking areas on the center island.

Commissioner Larkin asked what the opinion is of the American Civil Liberties Union (ACLU). Stan Peck, RTC Chief Legal Counsel, replied that there is nothing agendized for this particular question so it should be addressed at a future meeting. Commissioner Larkin accepted the advice of counsel.

Chairman Aiazzi said the subcommittee also recommended that the subcommittee be assigned a specific dollar authorization amount so that should the unlikely event of an additional expense comes up it would not be required to go before the RTC Board. Again, Mr. Peck stated that there is nothing agendized for this particular issue so it should be addressed at a future meeting. Chairman Aiazzi was in disagreement with Mr. Peck's opinion and discussion ensued. Commissioner Dortch was also in disagreement with Mr. Peck's opinion.

Executive Director Gibson suggested that this particular question could be addressed at the RTC Board Retreat in January 2010 and then brought to a future meeting of the RTC Board for action.

On motion of Commissioner Dortch, seconded by Commissioner Larkin, which motion unanimously carried, Chairman Aiazzi ordered that the recommendations of the RTC Board's 4th Street Station Subcommittee concerning design and construction changes to the 4th Street Station Project be approved. This motion does not include any reference to a dollar authorization amount.

Item 8(a) LEGAL REPORT

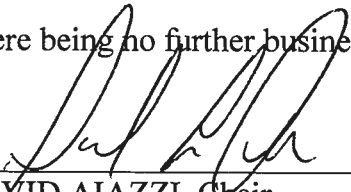
Legal Counsel Stan Peck said he had items he wished to communicate with the Board in a non-meeting after the completion of the agenda. One of these items included a response to a previous Board question pertaining to eminent domain.

Based on previous discussions regarding Pyramid/McCarran, Chairman Aiazzi asked Mr. Peck if the law pertaining to eminent domain required that the condemning agency pay whatever the landowner may owe on a property, even if the market value is less. Mr. Peck replied that he has been unable to determine the existence of any specific provision that requires full payment of a mortgage balance when the landowner is "upside-down" on their mortgage.

Item 9 MEMBER ITEMS

Chairman Aiazzi asked for that the RTC's status on the Complete Count Committee be brought to a future meeting.

There being no further business to come before the Board, the meeting adjourned at 11:51 a.m.



DAVID AIAZZI, Chair
Regional Transportation Commission