

**REGIONAL TRANSPORTATION COMMISSION  
WASHOE COUNTY, NEVADA**

**FRIDAY**

**1:02 P.M.**

**February 16, 2017**

**PRESENT:**

**Ron Smith, Sparks City Council Member, Chairman  
Bob Lucey, Washoe County Commissioner, Vice Chairman  
Paul McKenzie, Reno City Council Member  
Marsha Berkbigler, Washoe County Commissioner  
Neoma Jardon, Reno City Council Member**

**Lee G. Gibson, RTC Executive Director  
Dale Ferguson, Legal Counsel  
Rudy Malfabon, Director of NDOT**

The regular monthly meeting, held in the Chambers of the Washoe County Commission, 1001 E. 9<sup>th</sup> Street, Reno, Nevada, was called to order by Chairman Smith. Following the Pledge of Allegiance to the Flag of our country and the roll call, the Board conducted the following business:

**RECOGNITION OF JOHN CROSS FOR HIS 35 YEARS OF SAFE DRIVING**

Tom Wittig, GM, and Simon Batter, Safety Manager, both with MV Transportation, presented a certificate and spoke in recognition of John Cross for his 37 years of service and for 35 years of safe driving.

**RECOGNITION OF MOHAMMED SARWAR, MV TRANSPORTATION'S 2016 DRIVER OF THE YEAR**

Mr. Sarwar was unable to attend the meeting so this recognition was held over until March.

**RECOGNITION OF THE ERICA GREIF BIKE PATH ON THE 2017 RTC BIKE MAP**

E.D. Gibson announced that a section of bicycle/pedestrian path is to be named the Erica Greif Bike Path on behalf of a young woman by that name who was a world renown cyclist from our region. Unfortunately, Ms. Greif was killed in an automobile accident on her way to a race. This dedication will be marked with signs and a bench in her honor. E.D. Gibson then asked the commissioners to host an agenda item at their respective entities to sponsor signs and or a bench that Ms. Greif's mother would like to put up.

Chairman Smith recognized Commissioner Jardon for her two years of service as the previous RTC Chair.

**Item 1 APPROVAL OF AGENDA**

On motion of Commissioner McKenzie, seconded by Commissioner Jardon, which motion unanimously carried, Chairman Smith ordered that the agenda for this meeting be approved.

**Item 2.1 PUBLIC INPUT**

Chairman Smith 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. John Odin, local resident, addressed the Board to request that an item be put on a future agenda for discussion pertaining to the possibility of advertising on RIDE transit stations.

Mr. Ray Lake, representing the North Valleys CAB, addressed the Board and asked for someone to meet with him after the meeting to discuss damages to Lemmon Drive as a result of the recent flooding.

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

**Item 2.2 ADVISORY COMMITTEES SUMMARY REPORT**

On motion of Commissioner Berkbigler, seconded by Commissioner Jardon, which motion unanimously carried, Chairman Smith ordered that receipt of the monthly Summary Report for the Technical, Citizens Multimodal and Regional Road Impact Fee Advisory Committees be acknowledged..

**Item 3.1 thru 3.12 CONSENT ITEMS**

*Requests were made to pull Items 3.2, 3.3 and 3.8 for discussion.*

**Minutes**

**3.1 Approve the minutes of the January 19, 2017, meeting (For Possible Action)**  
*Possible Action)*

**3.4 Approve Amendment 04 of the Fiscal Year 2017 (FY 17) Street & Highway Program of Projects (S&H POP) (For Possible Action)**

**Public Transportation/Operations**

**3.5 Acknowledge receipt of the monthly Public Transportation/Operations Report (For Possible Action)**

**3.6 Authorize the Executive Director to submit an application for participation in the Washoe County Regional Communication System 800 MHz Joint Operating Committee and negotiate initial entry fees (For Possible Action)**

**Planning**

**3.7 Acknowledge receipt of the monthly Planning Activity Report (For Possible Action)**

*Administration*

**3.9 Approve an update of the RTC Investment Policy (*For Possible Action*)**

**3.10 Acknowledge receipt of the FY 2017 Financial Activity Report year to date for period ending December 31, 2016 (*For Possible Action*)**

*Procurement and Contracts*

**3.11 Approve a Professional Service Agreement (PSA) with Lumos & Associates in an amount not to exceed \$585,730 for design and construction services for the Annual Pavement Maintenance Project; authorize the RTC Executive Director to execute the agreement (*For Possible Action*)**

**3.12 Approve a three-year HASTUS Software Annual Maintenance Agreement with GIRO, Inc., in an amount not to exceed \$150,000 (approximately \$50,000 annually) over the three year term of the agreement; authorize the RTC Executive Director to finalize and execute the agreement (*For Possible Action*)**

On motion of Commissioner McKenzie, seconded by Commissioner Berkbigler, which motion carried unanimously, Chairman Smith ordered that the Consent Items be approved with the exception of 3.2, 3.3 and 3.8 which were pulled for discussion.

On discussion as noted above:

**3.2 Acknowledge receipt of the monthly Engineering Activity Report (*For Possible Action*)**

Commissioner McKenzie asked Garth Oksol, RTC Acting Engineering Director, about the mention of Package I of the North Valleys improvements being completed. He doesn't believe that statement is accurate.

Mr. Oksol addressed the Board and agreed that the statement is incorrect. He added that when the report was put together, it was anticipated that everything would be complete with Package I. However, with the weather that came in, there were delays with some of the signal installations.

Commissioner McKenzie then asked what remains to be done.

Mr. Oksol said staff is waiting on the flashing crosswalk beacons to be installed and for the mast arm for the signal at Stead and Silver Lake Dr.

On motion of Commissioner McKenzie, seconded by Vice Chair Lucey, which motion carried unanimously, Chairman Smith ordered that Consent Item 3.2 be approved with the correction that staff is currently waiting on the weather and materials to complete the aforementioned improvements.

**3.3 Acknowledge receipt of the SouthEast Connector monthly progress report (*For Possible Action*)**

Commissioner Lucey asked what the timeline delay will be as a result of the recent wet weather.

Garth Oksol, RTC Acting Engineering Director, responded that at this point, it is still being evaluated. He continued, saying that until things start drying out they won't have a good handle on the situation. Until Granite Construction can get back to work it is unknown how long storm clean-up will take and how much it will impact the schedule. Conversations are taking place on what is needed to keep the completion date in 2017.

On motion of Vice Chair Lucey, seconded by Commissioner Berkbigler, which motion carried unanimously, Chairman Smith ordered that Consent Item 3.3 be approved.

### **3.8 Acknowledge receipt of the status report on the 2040 Regional Transportation Plan and selected draft chapters (*For Possible Action*)**

Commissioner McKenzie asked how long it will take to get an update on our road conditions after having so much inclement weather this year.

Amy Cummings, RTC Planning Director, addressed the Board and said that a report can be put together and brought to a future meeting.

Commissioner McKenzie's second question pertained to where money is being spent on roads and a recent article that called out the jurisdictional responsibilities of the various types of roads in the region. He asked where the responsibilities are laid out *officially* (i.e. Interlocal agreement or NRS)

Ms. Cummings responded that it is identified in chapter six of the Regional Transportation Plan (RTP) which tracks how the RTC is legally allowed to use its funds. The RTC also partners with the state and NDOT is responsible for the NDOT facilities. The RTC is responsible for regional roads which generally carry at least 5,000 cars a day, industrial roads or roads that have transit routes. She added that the state statutes do have some bearing on it as well but deferred to RTC Legal Counsel to elaborate.

Dale Ferguson, RTC Legal Counsel, said he doesn't believe there is a specific definition, but the way the statutes are put together references the RTP for projects to be completed with funds from fuel tax.

Commissioner McKenzie then asked for a breakdown of the fuel tax funding for the different jurisdictions.

Ms. Cummings said the RTC receives indexed fuel tax funding and an additional increment goes directly to the jurisdictions for road improvements. Those funds are generally used to maintain the local road network. Washoe County receives approx. \$8.9 million annually, Sparks receives \$2.2 million and Reno receives \$5.9 million (2016 numbers).

Commissioner Smith stated that Washoe County used to distribute a portion of their funds to Reno and Sparks and he would like them to consider doing that again. He mentioned the deterioration of Clean Water Way as an example of where those funds could best be used. Washoe County quit allocating the funds at the beginning of the recession and instead, gave the funds to the RTC to be included in the road improvements with a request for specific improvements to be made.

Commissioner Lucey said it could certainly be brought back to the County Commission.

Commissioner Berkbigler then mentioned the major road issues occurring in Incline Village and asked if that area is a consideration when discussing road maintenance.

E.D. Gibson responded that all of Washoe County is included.

On motion of Commissioner McKenzie, seconded by Vice Chair Lucey, which motion carried unanimously, Chairman Smith ordered that Consent Item 3.8 be approved.

***Item 4.1 thru 4.3 DIRECTOR REPORTS - No action***

**4.1 RTC Executive Director Report**

E.D. Lee Gibson first announced that Jeff Hale, the previous director of engineering, had retired and Mr. Garth Oksol had been appointed as the acting director.

Next, E.D. Gibson highlighted a recent meeting on 4<sup>th</sup> Street, the homelessness and crime in that area. He said a big part of the discussion was on the best way to get food to those in need. Because the RTC has an obligation to the safety and protection of its customers, additional security will be added at 4<sup>th</sup> Street Station.

Commissioner Jardon said that she had attended five meetings pertaining to homelessness in the past week. She agreed that passengers need to feel safe when riding transit. She is also extremely concerned about the homeless and trash issues along the freeway corridor.

E.D. Gibson then mentioned upcoming legislative activities and other RTC meetings and activities.

**4.2 RTC Federal Report**

E.D. Gibson announced that he, Chairman Smith and Vice Chairman Lucey had taken a trip to Washington DC to meet with the NV delegation and make them aware of local priorities.

A written update on other federal matters pertaining to the RTC and our region was provided to the Commissioners in their Board packets.

Chairman Smith added that he felt this was the most productive DC meeting they have ever had.

Vice Chairman Lucey concurred and mentioned several key appointments that could be of assistance to the RTC and Northern Nevada.

**4.3 NDOT Director Report**

NDOT Director Rudy Malfabon said that his staff would definitely like to participate in the meetings on homelessness to see where they can bring efforts to help with the issues.

He continued, saying that CH2M was hired to begin the environmental clearance process for the Spaghetti Bowl project. This clearance should take 3.5 years and because this process usually takes up to seven (7) years, this is great news.

He then mentioned several of the flooding incidents caused by the weather and said home and business owners want both NDOT and Washoe County to be involved with what needs to be fixed going forward. Dir. Malfabon also provided updates on some road closures and washouts.

Dir. Malfabon said that the permanent signal installation in front of the Bonanza Casino would be going to bid in a week from this meeting. The Glendale reconstruction bids had also opened.

Lastly, Dir. Malfabon said that he thinks it would be a good idea for Nick Johnson from NDOT to give a presentation update on the Spaghetti Bowl project at the next meeting. He then offered to answer any questions.

Commissioner McKenzie asked if any of the temporary improvements previously discussed for the Spaghetti Bowl would be installed over the upcoming summer months.

Dir. Malfabon said the Intelligent Transportation System improvements will be installed north of the Spaghetti Bowl on US-395. He added that the temporary closure at Wells Avenue did not go over at all well with the business owners in that area but other short-term ideas are being considered. Nothing else is currently under development though.

Commissioner McKenzie had a concern that the message was not accurately relayed to the business owners.

Commissioner Jardon concurred with Commissioner McKenzie and is concerned that the option of a daily 2-hour closure of an on-ramp is completely off the table now. She then asked about the variable speed devices for I-80 because they weren't mentioned in the director's report.

Dir. Malfabon said they are being installed at US-395 north and will be looked at for I-80 as well.

Commissioner Jardon also expressed extreme concern over the homelessness and trash issues along the I-80 corridor.

### ***Item 5.1 PUBLIC TRANSPORTATION AND OPERATIONS***

#### **5.1 Acknowledge receipt of the status report on the RTC VANPOOL Program (For Possible Action)**

Ms. Carol Perry, RTC Trip Reduction Specialist, gave a presentation explaining the RTC Vanpool program and the benefits the program provides for the program users, businesses, the community, air quality, and the RTC. Upon completion Ms. Perry offered to answer any questions.

Commissioner McKenzie commented that there are only two destinations in the program within Washoe County so he would like to know why the RTC is subsidizing the program when it

benefits other counties or even states. The only benefit to the RTC is the calculation of the grant funding received but he believes it could be better spent on other areas of transit. He then asked how the vehicle types and ridership are monitored.

Ms. Perry responded that the riders must submit monthly ridership data and the vehicles vary in size from 7-14 passenger vehicles.

Ms. Christina Uranga with VRide addressed the Board and explained that they are restricted by the Buy America provisions so they currently have Chevy Traverse 7-passenger vans and Chevy Express vans for larger groups. Each group must sign what is essentially a lease for the vehicle and that is how VRide is able to monitor the vehicles.

Commissioner McKenzie thought that he had seen Chevy Equinox VRide vehicles but Ms. Uranga said VRide does not have that style in their fleet.

E.D. Gibson asked if it's possible that VRide vehicles could be coming into Reno that are Equinox's.

Ms. Uranga said no, they do not have that style anywhere. She also explained how maintenance is taken care of on the vehicles.

Vice Chairman Lucey asked if the program is going to grow.

Ms. Perry said that is the hope with all of the business growth in the area.

The Vice Chair then mentioned that there have been requests for vanpools from Fernley to the Tahoe Regional Industrial Center (TRIC) and asked if the RTC would manage those also.

Ms. Perry said that for the RTC to subsidize the vanpool it must originate or have a destination within Washoe County. The employer also subsidizes these vanpools, usually at a higher percentage than the RTC subsidizes. There is currently one vanpool from Fernley to Tesla but it is subsidized by the employer and not the RTC. She added that historically, nationally, the program experiences much less growth when a lower subsidy is offered.

Commissioner Jardon agrees that the RTC should be eventually weaned off of the subsidy program.

Commissioner McKenzie asked if the grant money received as part of running the vanpools can be used elsewhere or does it have to be put back into the vanpools.

Ms. Perry said the 5307 grant funds have not been used on the vanpool program, instead, it has been funded by CMAQ and STP local money. The grant money has been used on fixed route transit instead. What the vanpool program does is generates a higher return of those allocation formula funds. The total subsidies in FFY 2016 was \$424,000.

Commissioner McKenzie said it is still an issue for him that the employers are not fully subsidizing this program so the RTC can apply these grant funds elsewhere. He commented specifically on many of the large businesses that are not paying taxes or who receive large tax breaks.

Stephanie Haddock, RTC Finance Director, confirmed the FFY 2016 amount mentioned and that the NDT data from the vanpool goes into the formula that determines how much 5307 grant funding is allocated to the RTC directly. She then explained how that money can be spent.

Ms. Perry also specified that the RTC subsidy goes directly to the participants and not to the businesses. She added that there are not many other transportation options going out to TRIC because a fixed route is extremely expensive.

Under public comment, Ms. Cathy Brandhorst spoke on matters of importance to herself.

On motion of Commissioner McKenzie, seconded by Vice Chair Lucey, which motion carried unanimously, Chairman Smith ordered that receipt of the report be acknowledged.

#### ***Item 6.1 ENGINEERING***

##### **6.1 Approve the Indexing of the Regional Road Impact Fees as allowed by NRS 278B.225 (For Possible Action)**

**\*\*Chairman Smith stepped out of the meeting\*\***

Ms. Julie Masterpool, RTC Engineering Manager, addressed the Board to explain how the statute NRS 278B.225 authorizes the RTC to do annual indexing of the Regional Road Impact Fees (RRIF) using a 5-year rolling average of the Consumer Price Index. This will be the 2<sup>nd</sup> year for the indexing on the Impact Fees 5<sup>th</sup> Edition.

There will be a 6<sup>th</sup> Edition of the program coming in the next year.

Under public comment, Ms. Cathy Brandhorst spoke on matters of importance to herself.

On motion of Commissioner McKenzie, seconded by Commissioners Jardon and Berkgigler, which motion carried unanimously by those present, Vice Chairman Lucey ordered that the indexing of the Regional Road Impact Fees be approved.

#### ***Item 7.1 METROPOLITAN PLANNING ORGANIZATION (MPO)***

**\*\*Commissioner Jardon stepped out of the meeting\*\***

##### **7.1 Approve the North Valleys Region Multimodal Transportation Study (For Possible Action)**



Ms. Amy Cummings, RTC Director of Planning, addressed the Board to provide an informational PowerPoint presentation on the North Valleys Region Multimodal Transportation Study. This study over the last year identifies improvements needed to deal with safety issues at intersections and pedestrian crossings in the region as well as capacity improvements needed. NDOT has also been working with the RTC on this study to identify areas of concern as has public input.

Mr. Jeff Wilbrecht, RTC Project Manager, then addressed the Board to say that Package I is almost complete and, pending weather issues, should be done in the near future. He then reviewed the specific improvements that have been made so far and what will be included in Package II. He then offered to answer any questions.

Commissioner McKenzie said that citizens in the area have commented that the improvements made have not been enough to keep the children safe near the school. He believes they need to give it more time before judging and added that there are simply people out there that ignore the traffic laws and safety improvements are not able to stop them. He then thanked the RTC staff for all of the work that has been put into the North Valleys.

On motion of Commissioner McKenzie, seconded by Commissioner Berkbigler, which motion carried unanimously by those present, Vice Chairman Lucey ordered that the study be approved.

### ***Item 8.1 thru 8.2      GENERAL ADMINISTRATION***

#### **8.1      Legal Update (*For Possible Action*)**

Legal Counsel Dale Ferguson updated the Board on an outstanding lawsuit pertaining to eminent domain on the 4<sup>th</sup> St/Prater Way project. This involves the Elmwood parcel on the SE corner of 4<sup>th</sup> and Evans St. The owners have contested occupancy and have requested a jury trial. The RTC has opposed that request and filed a motion for summary judgement. This case is pending before the 2<sup>nd</sup> Judicial District Court.

**\*\*Chair Smith departed the meeting\*\***

#### **8.2      Receive a review and overview of the RTC's Procurement Policy- P-13 (*No Action Required*)**

Stephanie Haddock, RTC Finance Director, addressed the Board and reviewed the RTC's purchasing policy P-13 as a refresher for the commissioners. This included Low Bids, Requests for Proposals, Interlocal agreements, all agreements over \$50,000 except for low bid agreements which are dictated by the Nevada Revised Statutes (NRS).

Commissioner McKenzie asked if there is a project which has both local and federal funding involved, can a protester pursue both avenues of appeal (FTA and local courts).

Ms. Haddock responded that any time at all that federal funds are involved the protestor's avenue of appeal is the FTA or FHWA.

Legal counsel Dale Ferguson confirmed this statement.

E.D. Gibson added that if the FTA or FHWA are appealed to, they simply confirm that there was a set procedure in place and whether or not that procedure was followed.

Commissioner McKenzie then asked if federal funds are involved, does the federal bid process come into play.

Ms. Haddock confirmed.

Under public comment, Ms. Cathy Brandhorst spoke on matters of importance to herself.

No Action was required for this item.

### **Item 9 PUBLIC INPUT**

Chairman Smith 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.

Ms. Cathy Brandhorst spoke on matters of importance to herself.

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

### **Item 10 MEMBER ITEMS**

Commissioner Jardon requested an item be placed on the March agenda for Mr. Odin's advertising discussion.

Vice Chairman Lucey would like a draft response to be made to Reno City Council Member Brekhus for her Op Ed in the RGJ which all commissioners are to sign. Per Counsel Ferguson, an item pertaining to this letter is to be placed on the March agenda if all five commissioners will be signing it.

Vice Chairman Lucey would also like to have a conversation with Director Malfabon pertaining to improvements on Hwy 341 as there are a number of new developments slated for that area and there will be quite a bit more traffic entering onto the highway.

Commissioner Jardon would like a standing monthly update on the Spaghetti Bowl short-term traffic improvements.

### **Item 11 ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 3:14 p.m.

  
~~RON SMITH, Chairman~~ Bob Lucey, Vice Chair  
Regional Transportation Commission