

**REGIONAL TRANSPORTATION COMMISSION  
WASHOE COUNTY, NEVADA**

**FRIDAY**

**9:00 A.M.**

**January 18, 2019**

**PRESENT:**

**Bob Lucey, Washoe County Commissioner, Chairman  
Neoma Jardon, Reno City Council Member, Vice Chair  
Vaughn Hartung, Washoe County Commissioner  
Oscar Delgado, Reno City Council Member  
Ron Smith, Sparks 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 Lucey. Following the roll call and the Pledge of Allegiance to the Flag of our country, the Board conducted the following business:

**RECOGNITION:**

An official welcome was made to Oscar Delgado, RTC City Councilman, as the newest RTC Commissioner.

**GENERAL BUSINESS:**

Chairman Smith called for an election of the new RTC Board Chair and Vice Chair, to hold those positions for a term of two (2) years. Commissioner Hartung nominated Commissioner Lucey as the incoming Chairman and Commissioner Jardon as the incoming Vice Chair, the nomination was seconded by Chairman Smith and upon a vote, passed unanimously.

The gavel was then passed to Commissioner Lucey as the new RTC Chairman. He thanked outgoing Chairman Smith for his contributions and commitment to the Board.

**SPECIAL PRESENTATION:**

A presentation was given by NDOT Landscape Architect Supervisor John Letoile on the various landscape and aesthetics plans for Nevada highways and more specifically, the US-395/I-580 and I-80 corridors. (Available by contacting [dthompson@rtcwashoe.com](mailto:dthompson@rtcwashoe.com))

***Item 1 APPROVAL OF AGENDA***

Commissioner Hartung said that he had a couple of brief questions on Items 3.11 and 3.12 but they could stay in the Consent Agenda.

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

***Item 2.1 PUBLIC INPUT***

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

Ms. Joanna Trieger, local resident, spoke on Item 6.1 in support of Option 1, the proposed two-way cycle track.

Mr. Andrew Samuelson, local resident, spoke on Item 6.1 in support of Option 1, the proposed two-way cycle track.

Ms. Rebekah Stetson, local resident, spoke on Item 6.1 in support of Option 1, the proposed two-way cycle track.

Ms. Genevieve Parker, representing the Reno Bike Project, spoke on Item 6.1 in support of Option 1, the proposed two-way cycle track. She is also looking forward to more bicycling connectivity in the region.

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

***Item 3.1 thru 3.15 CONSENT ITEMS***

RTC Executive Director Lee Gibson requested that Item 3.4 be pulled off Consent for discussion.

Commissioner Hartung commented on Items 3.11 and 3.12, saying that the second sentence in the second summary paragraph states, "Approval of this Resolution of Condemnation for ROW will allow the RTC to initiate condemnation proceedings for these property rights for timely acquisition in the event that continued negotiations with the property owners are unsuccessful." He believes this sounds too much like a threat and he opposes that wording.

RTC Chief Legal Counsel Dale Ferguson said that the paragraph is not meant as a threat and explained in more detail what the wording is meant to say and offered to word it differently going forward. He also suggested pulling those two items for a separate vote if Commissioner Hartung planned to vote against the recommendations for approval.

***Minutes***

**3.1 Approve the minutes of the November 16, 2018, meeting (*For Possible Action*)**

**3.2 Approve the minutes of the December 7, 2018, meeting (*For Possible Action*)**

### *Engineering*

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

### *Public Transportation/Operations*

- 3.4 Acknowledge receipt of the monthly Public Transportation/Operations Report (*For Possible Action*) *Clarification comment noted below.*

### *Planning*

- 3.5 Acknowledge receipt of the monthly Planning Activity Report (*For Possible Action*)
- 3.6 Acknowledge receipt of the 2018 Bicycle, Pedestrian and Wheelchair Data Collection Annual Report (*For Possible Action*)

### *Administration*

- 3.7 Acknowledge receipt of the monthly Procurement Activity Report (*For Possible Action*)
- 3.8 Acknowledge receipt of the Administrative Services Activity Report (*For Possible Action*)
- 3.9 Acknowledge receipt of the Asset Donation Log for the third and fourth quarters of calendar year 2018 (*For Possible Action*)

### *Procurement and Contracts*

- 3.10 Authorize the Executive Director negotiate and execute a contract for specialized legal services with the law firm of Thompson Coburn, LLP (*For Possible Action*)
- 3.11 Approve a Resolution of Condemnation authorizing RTC's legal counsel to commence condemnation proceedings to acquire one (1) permanent easement and one (1) temporary construction easement on APN 014-251-27 from Olsen Investments, LLC, necessary to construct the Virginia Street Bus Rapid Transit Extension Project (*For Possible Action*)
- 3.12 Approve a Resolution of Condemnation authorizing RTC's legal counsel to commence condemnation proceedings to acquire one (1) permanent easement and one (1) temporary construction easement on APN 011-226-34 from Ponderosa Hotel, Inc., a Nevada corporation, necessary to construct the Virginia Street Bus Rapid Transit Extension Project (*For Possible Action*)
- 3.13 Approve Amendment No. 2 to the PSA (Professional Services Agreement) with Wood Rodgers, Inc. for the California Avenue and Keystone Avenue Interchange Enhancements project for EDC (Engineering During Construction) services to provide for construction inspection and material testing in the amount of \$189,980; authorize the RTC Executive Director to execute the agreement. This will bring the total PSA amount to \$323,425 (*For Possible Action*)
- 3.14 Authorize the procurement of Qualified Lists of consultants to provide engineering design and construction management services for the Traffic Engineering Program and the Intelligent Transportation Systems (ITS) Engineering Program (*For Possible Action*)

**3.15 Approve a Contribution Agreement with the Downtown Reno Business Improvement District, a private Nevada nonprofit corporation, in an amount not to exceed \$140,000 per year for three years for transit related purposes, including ambassador services, cleaning/maintenance services, enhanced police services, and other special services within a newly created business district located in the vicinity of downtown Reno; authorize the RTC Executive Director to execute the final Contribution Agreement (For Possible Action)**

Item 3.4 Comments:

E.D. Lee Gibson stated that he wanted to make a clarification in the staff report. There is a statement in the report under the Fixed Route Proposal update saying that BAFOs were due yesterday. However, the committee had not completed its work and BAFOs were not requested. He added that he is waiting on a report for additional information and will bring it back in February.

On motion of Vice Chair Jardon, seconded by Commissioner Delgado, which motion carried unanimously, Chairman Lucey ordered that Consent Items 3.1 through 3.15 be approved with the clarification noted for Item 3.4 and the removal of items 3.11 and 3.12, which were voted on separately.

**3.11 Approve a Resolution of Condemnation authorizing RTC's legal counsel to commence condemnation proceedings to acquire one (1) permanent easement and one (1) temporary construction easement on APN 014-251-27 from Olsen Investments, LLC, necessary to construct the Virginia Street Bus Rapid Transit Extension Project (For Possible Action)**

Brian Steward, RTC Engineering Director, explained that the request on the Olsen Property is to construct and maintain a sidewalk, curb and pedestrian ramp. Additionally, rights are needed for landscaping and street lighting.

Chief Legal Counsel Ferguson explained to Commissioner Hartung that the way the document is written is so that it follows NRS Chapter 37 for Imminent Domain. He suggested that it may be a good idea to meet outside this meeting for further conversation and clarification.

Commissioner Hartung said that he simply wants condemnation to be used as the very last resort.

Counsel Ferguson said that negotiation can and will still continue even if these items are passed today.

On motion of Vice Chair Jardon, seconded by Commissioner Delgado, which motion carried 4-1 with Commissioner Hartung opposed, Chairman Lucey ordered that Consent Item 3.11 be approved.

**3.12 Approve a Resolution of Condemnation authorizing RTC's legal counsel to commence condemnation proceedings to acquire one (1) permanent easement and one (1) temporary construction easement on APN 011-226-34 from Ponderosa Hotel, Inc., a**

## **Nevada corporation, necessary to construct the Virginia Street Bus Rapid Transit Extension Project (*For Possible Action*)**

Brian Stewart, RTC Engineering Director, explained that the request on the Ponderosa property is to acquire one permanent easement and one temporary construction easement to construct and maintain sidewalk curb, pedestrian ramp and a storm drain. Additionally, rights are needed to build a pedestrian ramp and driveway transition, and for landscaping, irrigation, and street lighting improvements.

Vice Chair Jardon said that many other property owners on Virginia Street have been involved in negotiations and had them resolved without condemnation, so she does not see this as a threat and would like to keep the project moving along.

On motion of Vice Chair Jardon, seconded by Commissioner Delgado, which motion carried 4-1 with Commissioner Hartung opposed, Chairman Lucey ordered that Consent Item 3.12 be approved.

### ***Item 4.1 thru 4.3 DIRECTOR REPORTS***

#### **Item 4.1 RTC Executive Director Report**

E.D. Gibson gave a brief report, stating that the RTC is currently in the process of updating the ADA Transition Plan, which began September 2018. To date, two public meetings have been held.

The next meeting is scheduled for February 12<sup>th</sup> at the RTC offices located at 1105 Terminal Way at 2 pm. That meeting is a stakeholder roundtable and is open to agencies providing services to individuals with disabilities and is also open to the public.

For information about the ADA Transition Plan, go to [www.rtcwashoe.com](http://www.rtcwashoe.com).

E.D. Gibson said he was pleased to announce the ridership results of the RTC New Year's Eve FREE Safe RIDE program. The RTC had highest ever percentage increase this year at 54%, representing a ridership count of 10,175 rides. He is proud that RTC public transit services provided a safe transportation alternative to the public, keeping our roads and everyone safe on New Year's Eve.

#### **Item 4.2 RTC Federal Report**

A written report was provided in the agenda packet backup materials for this month. E.D. Gibson added that the FTA is closed so discussions have been postponed on the Capital Investment Grant that's been under discussion.

He also mentioned the other areas of the government that are under the federal shutdown, but added that FHWA is "open for business."

### **Item 4.3 NDOT Director Report**

NDOT Director Rudy Malfabon said there was no Transportation Board meeting scheduled for January 2019, but one should be coming up in February after briefings have been conducted for the new State Controller, Lt. Governor, Governor and his staff.

Dir. Malfabon then mentioned that the public hearing for the Spaghetti Bowl was held and a lot of comment was received. He also said that NDOT will continue to work with the Airport Authority with regard to the fly-overs and airport accessibility.

This was Director Malfabon's last meeting with the RTC as the new Governor will be appointing a new Director of NDOT. After 31 years, Director Malfabon will be retiring. He gave thanks to his own staff, the RTC Staff and Washoe County, as well as the RTC Board for their direction and feedback on behalf of their constituents. He also thanked the FHWA for their help in making everything run smoother with their funding and support.

The RTC Commissioners and E.D. Gibson all thanked Director Malfabon for everything he's done for the RTC, the community and the state, and wished him the best of luck in his retirement.

### **Items 5.1 thru 5.2 ENGINEERING**

#### **5.1 Acknowledge receipt of the Virginia Street Bus Rapid Transit (BRT) Extension monthly progress report (*For Possible Action*)**

Mr. Jeff Wilbrecht, RTC Project Manager, provided a brief PowerPoint update on the project (Available by contacting [dthompson@rtcwashoe.com](mailto:dthompson@rtcwashoe.com)). He said that the utility project is approximately 75% done and they are 72 working days into the 115 working day contract. He mentioned that some of the older storm drains have been in conflict with the newer installments which has caused a couple of delays.

100% of design should be complete by February 5<sup>th</sup> and will be submitted to the City of Reno for final review and approval.

Negotiations are also continuing on the CMAR and are making comparisons on cost with the Independent Contractor Estimate (ICE) costs.

Next, Mr. Wilbrecht discussed work on the dry utilities, traffic control, outreach events and BRT stops. In the presentation were several examples of proposed esthetics at some of the BRT stops.

E.D. Gibson said there are still questions related to possible finishes in Midtown, such as benches, BRT stop "themes" and other art features. Design, functional need, assembly, manufacturing and installation requirements are all factors to be considered.

Vice Chair Jardon added that discussions began two years prior and some of the finishes are set in stone, but other items are still open for discussion. Unique applications are being requested in the same manner as the 4<sup>th</sup>/Prater stations and the Vice Chair was told that it was still open for discussion, so she was not pleased to hear that they are actually not open for discussion. She wanted to make sure that by accepting the report today, the RTC is not committing themselves to the stop designs as they were presented.

E.D. Gibson explained that the hope is to keep the transparency at the stations for safety purposes but the stops themselves are designed more like the ones on 4<sup>th</sup>/Prater.

Vice Chair Jardon requested that the items that are not open for discussion with the community be noted as such and taken off the table so that focus may be placed on the areas that might still be modified.

E.D. Gibson suggested bringing more of the build items to the next meeting for further discussion.

Commissioner Delgado thought that the public outreach that's occurred has been very thorough and for the community to feel like they were misled or not heard would be a huge setback. He too would like to keep options open for modifications.

E.D. Gibson said that the branding for the RAPID has not been discussed since the original service began years before, and this is part of the same project, so perhaps the overall branding should also be looked into.

Commissioner Hartung said a RIDE passenger had commented to him that he felt quite safe with the clear stops on 4<sup>th</sup>/Prater.

Chairman Lucey suggested holding meetings with Vice Chair Jardon and Commissioner Delgado to address their concerns prior to the next Board meeting.

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

**\*\*Commissioner Smith departed the meeting at 10:47 a.m.\*\***

## **5.2 Approve the proposed FY 2020 Program of Projects (POP) (*For Possible Action*)**

Mr. Brian Stewart, RTC Engineering Director, addressed the Board and gave a presentation on the projects planned for FY 2020. (Available by contacting [dthompson@rtcwashoe.com](mailto:dthompson@rtcwashoe.com))

Mr. Stewart explained the project plan, the number of years out the larger projects are scheduled for, how the budgets are affected, and what smaller projects are planned for the actual fiscal year 2020, such as preventative maintenance, along with their respective priority.

He added that the POP is also presented to the RTC's advisory committees for review as well as the local entities, and use of the fuel tax funding required for the POP is approved by the Washoe County Commission.

Lastly, Mr. Stewart presented the brand new projects that have been added to the ongoing project list. Upon completion, Mr. Stewart offered to answer any questions.

Commissioner Hartung expressed his frustration that the initial widening of Pyramid Hwy. northbound was not taken far enough and should have gone all the way to Disc Dr. He also asked why the widening of Lemmon Valley Dr. only goes to Chickadee and not out to Ogden.

Mr. Stewart said that the Chickadee location will have a future Eagle Valley connection which is why the limit was drawn there.

Commissioner Hartung also mentioned another widening concern that only goes to Golden View; he would like it to go all the way to Sparks Blvd.

On motion of Commissioner Delgado, seconded by Vice Chair Jardon, which motion carried unanimously by those in attendance, Chairman Lucey ordered that the proposed FY 2020 Program of Projects (POP) be approved.

Vice Chair Jardon then made a motion to re-open Item 5.1 to put something on the record. The motion was seconded by Commissioner Delgado, which motion passed unanimously and the item was reopened.

**5.1 Acknowledge receipt of the Virginia Street Bus Rapid Transit (BRT) Extension monthly progress report - *Reopened for discussion - no action taken***

Vice Chair Jardon asked for a discussion on potentially leaving the traffic controls (cones, etc.) in place during the few months' time between utility construction and roadway construction. She would also like to know what project can be worked on during that "pause," such as on the parallel streets.

Mr. Brian Stewart, RTC Engineering Director, said that the utility companies that the current work has been for will be in there connecting the new utilities for the businesses to utilize.

Mr. Jeff Wilbrecht, RTC Project Manager, addressed the Board and explained that the intent of the utility project was to demobilize and remove the cones. That way the utility companies can bring in their trucks and only cone of the specific area that they are working in. Also, by leaving the existing cones creates a maintenance issue and retains on the contractor's insurance. It is also a cost and a risk to the RTC.

Vice Chair Jardon asked if it could be further discussed at the next meeting. She added that the business owners had requested that the cones remain in place during the Christmas season simply to avoid confusion among their patrons.

Mr. Wilbrecht added that all of the side streets in the Plumb to Liberty section of the project will be worked on during the “pause” so traffic control would not be reintroduced back into the project until approximately November or December of 2019.

Chairman Lucey stated that discussion has been requested by the constituents, so will take place at the next Board meeting. Everyone was in agreement and Item 5.1 was again closed.

## **Item 6.1 METROPOLITAN PLANNING ORGANIZATION (MPO)**

### **6.1 Receive a presentation on the Bicycle Facility Alternatives Analysis for Center, Sierra and Virginia Streets Report and approve the Report (*For Possible Action*)**

Mr. Dan Doenges, RTC Planning Manager, gave a brief presentation for the Bicycle Facility Alternatives Analysis. (Available by contacting [dthompson@rtcwashoe.com](mailto:dthompson@rtcwashoe.com)) He added that he would not go into detail on all of the alternatives because they had been previously vetted.

Mr. Doenges said that comments from the public meetings, echoed by the elected officials, overwhelming showed that Alternative 1, the two-way cycle track on Center Street, was the preferred alternative and a bicycle lane on Sierra Street was the second preference. He continued with his presentation, showing how the two-way cycle track would work, the project limits, safety levels of the different alternatives offered, etc. He also said the Sierra bike lane would provide a lot of connectivity to other existing bike lanes and a really good connection between UNR and the Midtown area.

Lastly, Mr. Doenges said that depending on the action taken at this meeting, the next steps would be preliminary engineering and continued public outreach, mainly with the businesses in the corridor. Construction of the Sierra bike lane is planned for spring 2021 and the cycle track on Center Street in spring 2022. The delay is to avoid conflicts with the current Virginia Street project.

Chairman Lucey said this is something that definitely needs to be done but he has a concern about the removal of 19 on-street parking spaces.

Mr. Doenges said that there is a trade-off, and discussions will definitely continue with the businesses and the public.

Chairman Lucey asked exactly which alternative is the alternative in the analysis - for the record.

Mr. Doenges said the preferred alternative as outlined in the report would be Alternative 1 - the two-way cycle track on Center Street.

Commissioner Delgado said that utilization of bike lanes is pretty low when they are not protected, so he is in favor of Alternative 1 because it is protected and it is what the public is looking for.

Vice Chair Jardon is in full support of Alternative 1 and believes it will greatly benefit the community.

Chairman Lucey then opened the meeting to public input and called on anyone wishing to speak.

Mr. Jeff Siri, representing Club Cal Neva, is opposed to Alternative 1 with concerns related to the design and how it effects the curb access to their business, including deliveries, emergency vehicles, and for maintenance of their building and signage. They need the ability to have a lift truck parked in order to reach the high signage for maintenance. He is also concerned about congestion during peak traffic hours or events at the Greater Nevada Field, as well as when Virginia Street is closed for events.

Ms. Wendy Damonte, local resident, spoke in support of Option 1, the proposed two-way cycle track for the great health benefits it will provide.

Mr. Brandon Siri, representing Club Cal Neva, is a cyclist and a runner, and would be a user of this project, but also has concerns as it is currently presented with regard to safety, access to the building and the loss of parking spaces. He added that they had previously met with the RTC to express these concerns but there was no follow-up meeting.

Ms. Rebekah Stetson, representing the National Wildlife Federation, spoke in support of Option 1, the proposed two-way cycle track, especially with its positive contributions to safety and climate change. She stated that Reno is the fastest warming city in the country and something must be done.

Mr. Ryan McKinney, local resident, said if Alternative 1 (two-way track) is implemented, all the signals need to be automated for ADA compliance. He is also concerned as to which side of Sierra Street the bike lane will be installed due to parking and the automated ADA signals.

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

Vice Chair Jardon said she is confident that there will be a way for safety vehicles to get into the Cal Neva and other businesses, and the maintenance vehicles should have access when needed as well. She doesn't think there will be large, unmovable barriers in place.

On motion of Commissioner Delgado, seconded by Vice Chair Jardon, which motion carried unanimously by those in attendance, Chairman Lucey ordered that Option 1 for the cycle track be approved and receipt of the report be acknowledged.

**7.1 Legal Issues - Report, discussion and possible action and/or direction to legal counsel and staff following receipt of information on legal issues. The RTC may, consistent with Chapter 241 of NRS, decide to interrupt the public meeting at any time to conduct a closed session to confer with legal counsel and possibly deliberate on legal issues. Any action on pending legal matters will be made when the public meeting is reconvened.**

Legal Counsel Dale Ferguson said he may wish to hold an attorney/client briefing prior to the start of the February meeting.

**Item 8      *PUBLIC INPUT***

Chairman Lucey 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.

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

**Item 11      *MEMBER ITEMS***

There were no member items.

**Item 12      *ADJOURNMENT***

There being no further business to come before the Board, the meeting adjourned at 11:24 a.m.

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BOB LUCEY, Chairman  
Regional Transportation Commission

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