

**REGIONAL TRANSPORTATION COMMISSION
WASHOE COUNTY, NEVADA**

FRIDAY

9:07 A.M.

July 17, 2020

PRESENT VIA ZOOM:

**Neoma Jardon, Reno City Council Member, Vice Chair
Vaughn Hartung, Washoe County Commissioner
Oscar Delgado, Reno City Council Member (9:09)
Ron Smith, Sparks City Council Member**

**Bill Thomas, RTC Executive Director
Dale Ferguson, Legal Counsel
Kristina Swallow, Director of NDOT**

NOT PRESENT:

Bob Lucey, Washoe County Commissioner, Chairman

The regular monthly meeting, held in the Chambers of the Washoe County Commission, 1001 E. 9th Street, Reno, Nevada and via Zoom meeting, was called to order by Vice Chair Jardon. Due to audio technicalities in the Chambers, Vice Chair Jardon took the roll call and led the Pledge of Allegiance to the Flag of our country, the Board then conducted the following business:

Item 1 APPROVAL OF AGENDA

On motion of Mayor Smith, seconded by Commissioner Hartung, which motion unanimously carried, Vice Chair Jardon ordered that the agenda for this meeting be approved.

Item 2.1 PUBLIC INPUT

Vice Chair Jardon opened the meeting to public input and due to Section 5 of the Governor's Directive 006, public comment was accepted until 4:00 pm the previous evening for topics relevant to the Regional Transportation Commission (RTC) that are not included in the current agenda.

Email received at 3:08pm on July 16th:

Hello RTC,

I'd like to submit the public comment below for the RTC Board meeting tomorrow, July 17. Thank you!

My name is Joanna Triegeer, and I'm a board member of the Truckee Meadows Bicycle Alliance, or TMBA. I'm commenting today both on my own behalf as someone who uses a bicycle as their

primary means of transportation, and on behalf of TMBA. My comment is regarding Agenda Item 4.1: direction on the 2050 RTP. The bottom line is that the 2050 RTP needs to explicitly prioritize the creation of a thoughtful, connected, equitable network of protected bicycle infrastructure in the Truckee Meadows.

The guiding principles adopted during the last RTC Board meeting include 1) safe and healthy communities, 2) economic vitality and innovation, 3) sustainability, and 4) travel choices. Allowing and encouraging as many citizens as possible to travel by bike would address each of these principles. But our current approach to bike infrastructure isn't enough. Our current approach is piecemeal, so it doesn't connect people from where they live to where they work, run errands, and recreate. Almost all of our current infrastructure is unprotected, so people don't feel safe using it. And it largely exists in just a few--mostly white and wealthy--neighborhoods, so it isn't equitable. Our current approach won't help RTC achieve its stated goals, so we need something different.

We need a thoughtful bike network based around a backbone of cycle tracks--2-3 running north/south and 2-3 running east/west--to serve as arterials. Protected bike lanes on quieter roads should act as feeders to get riders to these cycle tracks, and designated bike routes along residential streets should connect to the feeders. Implementing a network like this is relatively inexpensive and is among the only transportation projects that ultimately pays for itself when considering the reduced wear-and-tear and improved air quality that comes from significant numbers of people switching from cars to bikes. Oddie/Wells and Center Street are great first steps toward this goal, but they need to be just that--first steps. I ask you to make creating a protected, connected, equitable bike network an explicit priority in the 2050 RTP. TMBA is ready and willing to work with you to make this happen. Thank you!

--

Joanna Trieger

The following letter was received via email at 3:21pm July 16th from the Law Offices of Kristina L. Hillman:

LAW OFFICES OF KRISTINA L. HILLMAN

July 16, 2020

VIA EMAIL AND U.S. MAIL

Adam Spear, Esq.
Regional Transportation Commission of Washoe County
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Reno, NV 89502
Email: aspear@rtcwashoe.com

Dale Ferguson, Esq. Woodburn & Wedge
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Re: Keolis Allowing Passengers to Refuse to Wear COVID Masks in Violation of Governor Sisolak's Executive Directive No. 024

Dear Mr. Spear and Mr. Ferguson:

Our office represents Teamsters Local 533. Teamsters Local 533 represents the bus drivers at Keolis, a contracted transit operator with the Regional Transportation Commission of Washoe County (RTC). We write to inform you that Keolis is refusing to follow current law requiring that all people wear a face covering in public places. We write because we know it is in our shared interest that Keolis cease and desist from placing the health and safety of workers and the public at heightened risk of contracting COVID 19.

Many communities are currently facing a surge in COVID 19 cases, including Washoe County. As of today, Washoe County has nearly 4,000 cases.¹ On June 24, 2020, Governor Sisolak issued Executive Directive No. 024 (hereinafter " Directive"), requiring that individuals "cover their nose and mouth with a mask or face covering when in a public space, whether publicly owned or privately owned where the public has access by right or invitation ... "² There is no question that Keolis transit vehicles and the spaces used to access them are subject to this

¹ <https://www.washoecounty.us/health/programs-and-services/communicable-diseases-and-epidemiology/educational-materials/COVID-19.php>

² <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/06/Directive-024-Face-Coverings.pdf>

*Affiliated with
Weinberg, Roger & Rosenfeld, A Professional
Corporation*

Directive. The failure to wear a face-covering on Keolis transit vehicles violates the Directive and CDC recommendations,³ and bus drivers are at far greater risk of contracting COVID 19 as a result of these violations of law. Teamsters Local 533 has repeatedly brought it to the attention of Keolis that passengers are not wearing masks.

Keolis has instructed its drivers to allow riders to use public transit even when they are not wearing a face covering. Keolis is not publishing its policy publicly but is instead communicating it to workers in a way calculated to avoid public responsibility. Keolis instructed its drivers via text messaging not to deny riders without masks but instead to simply "educate and encourage them" to do so. Keolis has threatened disciplinary action and penalties against drivers if they seek to enforce the Directive to protect their safety and health. Attached hereto are samples of these threatening text messages Keolis sent to its drivers.

The Union has requested, on multiple occasions, that Keolis enforce the Directive. Keolis refuses to comply with the law. Keolis claims it need not require riders to wear face coverings , using the Americans with Disabilities Act as an excuse. The Union has not, and would not, request that Keolis violate the ADA. The fact is, the Americans with Disabilities Act does not give Keolis license to act in discordance with the Directive. Further, the Directive addresses ADA requirements as it exempts individuals "who cannot wear a face-covering due to a medical condition or disability, or who are unable to remove a mask without assistance" from the face-covering requirement. Instead, the Directive provides riders who have such conditions or disabilities with accommodation by allowing them to wear a "non-restrictive alternative, such as a face shield." Keolis' instructions to bus drivers to let anyone on the bus without a face covering, or in the alternative, a non-restrictive face shield (if the person asserts a disability or conditions prohibits them from wearing a face covering) is a blatant refusal to follow the law and will certainly cause the virus to spread among RTC's bus drivers and riders.

The RTC can and should impose penalties and dispatch any enforcement agencies necessary to enforce compliance with the Directive. Directive , Sections 9, 10. RTC has the authority to enforce the Directive under state law because the Governor has delegated this authority in his Directive. See Directive, Section 9; see also NRS 414.060(3)(f). Keolis has made clear that nobody is to be turned away for failure to comply with the Directive.

3

The CDC recommends "all people 2 years of age and older wear a cloth face covering in public settings and when around people who don ' t live in your household, especially when other social distancing measures are difficult to maintain."

https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-covering-guidance.html?deliveryName=USCDC_2067-DM31977.

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Our client has asked us to call this very important public and worker safety issue to your attention. Our client is willing to work with RTC to assure that drivers and members of the public can safely work and use public transit. Please contact us if you have any questions or would like to discuss this matter.

Sincerely,

Kristina L. Hillman

Tiffany L. Crain

There being no other public comment submitted, the Vice Chair closed public input.

Item 2.2 ADVISORY COMMITTEES SUMMARY REPORT

On motion of Mayor Smith, seconded by Commissioner Hartung, which motion unanimously carried, Vice Chair Jardon 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 3.19 CONSENT ITEMS

Minutes

- 3.1 Approve the minutes of the June 19, 2020, meeting (*For Possible Action*)**

Engineering

- 3.2 Acknowledge receipt of the monthly Engineering Activity Report (*For Possible Action*)**
- 3.3 Acknowledge receipt of the Virginia Street Bus Rapid Transit (BRT) Extension monthly progress report (*For Possible Action*)**
- 3.4 Acknowledge receipt of the Lemmon Drive monthly progress report (*For Possible Action*)**

Public Transportation/Operations

- 3.5 Acknowledge receipt of the monthly Public Transportation/Operations Report (*For Possible Action*)**
- 3.6 Accept and approve the RTC 2020 Title VI Report Update (*For Possible Action*)**

Planning

- 3.7 Acknowledge receipt of the monthly Planning Activity Report (*For Possible Action*)**
- 3.8 Approve the proposed revisions to both the RTC Technical Advisory Committee (TAC) Statement of Purpose, Objectives, and Procedures; and Policies Governing the Citizens Multimodal Advisory Committee (CMAC) (*For Possible Action*)**

Administration

- 3.9 Acknowledge receipt of the monthly Procurement Activity Report (*For Possible Action*)**
- 3.10 Acknowledge receipt of the Asset Donation Log for the first and second quarters of calendar year 2020 (*For Possible Action*)**
- 3.11 Approve the Fiscal Year 2021 RTC Agency Goals (*For Possible Action*)**
- 3.12 Approve modification to RTC Personnel Rule (11.9) Maximum Vacation Accumulation (*For Possible Action*)**
- 3.13 Approve new Regional Transportation Commission (RTC) Management Policy, Business Expense (*For Possible Action*)**
- 3.14 Approve modifications to Regional Transportation Commission (RTC) Management Policy P-21, Travel Policy (*For Possible Action*)**

Procurement and Contracts

- 3.15 Approve Amendment No. 2 to the Transit Vehicle Purchase Agreement with Proterra, Inc., effected on December 9, 2019, to incorporate the installation of two (2) shop chargers originally procured under this contract for the total firm-fixed not-to-exceed amendment price of \$309,341; authorize the RTC Executive Director to execute the amendment (*For Possible Action*)**
- 3.16 Approve Task Order #3 under the Master Services Agreement with CA Group, Inc. for design services and optional engineering during construction for the Bus**

- Stop Improvement and Connectivity Program for the 2021 construction season in an amount not-to-exceed \$552,625; approve an amendment to the Master Services Agreement to reflect the increased not-to-exceed amount; authorize the RTC Executive Director to execute the task order and amendment (*For Possible Action*)**
- 3.17 Approve Amendment No. 1 to the existing Professional Services Agreement (PSA) between the RTC and Kimley-Horn and Associates for Engineering During Construction (EDC) services related to the Kuenzli Street Project in an amount not to exceed \$77,939 for a new total contract not to exceed amount of \$303,353; authorize the RTC Executive Director to execute the agreement (*For Possible Action*)**
- 3.18 Approve a Professional Services Agreement (PSA) with Stantec Consulting Inc. to provide design services and optional engineering during construction for the TE Spot 10 – North Project in an amount not to exceed \$150,387; authorize the RTC Executive Director to execute the agreement (*For Possible Action*)**

Regional Road Impact Fees

- 3.19 Acknowledge receipt of the 6th Edition RRIF Program report (*For Possible Action*)**

On motion of Commissioner Hartung, seconded by Mayor Smith, which motion carried unanimously, Vice Chair Jardon ordered that Consent Items 3.1 through 3.19 be approved.

Item 4 METROPOLITAN PLANNING ORGANIZATION (MPO)

- 4.1 Receive a report and provide direction on the 2050 Regional Transportation Plan (RTP) Transportation Project Alternatives (*For Possible Action*)**

Mr. Dan Doenges, RTC Planning Manager, addressed the Board via Zoom and shared his screen to provide a presentation update on the 2050 Regional Transportation Plan (RTP).

Mr. Doenges began, saying that since 2017, the following installations were accomplished:

- 33.2 miles of bike lanes
- 10.7 miles of sidewalk
- 6.7 miles of multi-use paths
- 445 ADA compliant curb ramps

Additionally, RTC Transit provided 7.6 million RIDE trips in 2019 and 223,640 ACCESS trips in 2019.

Projects, programs and Services to be considered for the 2050 RTP are the following:

- Projects suggested by community members
- 2040 RTP projects
- Projects in recent/ongoing transportation studies
 - South Meadows Multimodal Transportation Study

- University Area Multimodal Transportation Study
- ADA Transition Plan
- Coordinated Human Services Transportation Plan
- Advanced Mobility Study
- Mt Rose Hwy & McCarran Blvd Studies

Mr. Doenges also provided information and maps on projects currently under development, projects in the current RTP, and projects broken out by specific areas in the region.

Commissioner Hartung asked if the RTC is considering partnering with the rail system to assist in getting citizens to/from the TRI Center to the east of Sparks.

Mr. Doenges responded that staff has been in contact with the Union Pacific Railroad but wasn't sure as to the details of those conversations. He added that NDOT is going to begin updating their rail plan and commuter rail will be looked at along with freight.

He then showed some of the specific suggested projects under consideration, such as:

- New connections in the North Valleys
- Support initiatives at Reno-Stead Airport & other planned developments
- New Connections to TRI Center
 - La Posada Extension
 - I-80 Widening
 - South Meadows Extension

The 2018-2022 Short Range Transit Plan, adopted in 2017, includes:

- Focus on service with the best opportunity for increasing ridership
- Focus on high employment & residential densities
- Service change concepts included:
 - Increasing service to high ridership corridors
 - Improving on-time performance
- Construct full-sized RAPID station
- Pursue FTA joint development identified in RTC Affordable Housing Study with City of Reno and Reno Housing Authority
- Extend RAPID Service
 - South Virginia to Mt. Rose Hwy/Geiger Grade
 - West 4th Street to Keystone Ave

FlexRIDE Expansion Requests:

- Red Rock/Cold Springs
- South Reno
- Incline Village/Lake Tahoe

Maintenance Facilities

- Potential relocation of Villanova facility due to Spaghetti Bowl Phase 4 (2035-2040)
 - Electric & hydrogen fueling capabilities
- Expand Sutro maintenance facility

Passenger Facilities

- Meadowood Mall transfer station relocation

Upon conclusion, Mr. Doenges offered to answer any questions.

Commissioner Hartung said there is a real need for capacity improvements on Pyramid Highway heading north toward Spanish Springs, but understands that it would most likely be an NDOT project. He added that Highland Ranch Parkway is another that could use widening, as could 7th street going to Golden Valley.

Mr. Doenges thanked the commissioner and said those requests would be added to the list.

Commissioner Delgado asked about the potential partnership with RTC and the Reno Housing Authority for use of the parcel across from the Peppermill, and what the status is.

Mr. Doenges suggested that Deputy Executive Director Cummings could better answer his question; however, due to the ongoing technical issues in the chambers, Ms. Cummings could not be unmuted. Therefore, Commissioner Delgado said he would just have an offline discussion with her about this topic.

Although NDOT roadways, Vice Chair Jardon would like to eventually know the timeline for safety and capacity improvements on North McCarran. She would also like to know what is in the plans for infrastructure out to Verdi where there is so much development.

Ms. Amy Cummings' audio was fixed and she told Commissioner Delgado that an environmental analysis is required by the FTA for the parcel across from the Peppermill he had asked about. That is underway now and it is very early in the project, but staff is working very closely with all partners involved.

Vice Chair Jardon suggested that an update on recent administration changes in Washington DC and how it will effect RTC projects going forward.

On motion of Commissioner Hartung, seconded by Commissioner Delgado, which motion carried unanimously, Vice Chair Jardon ordered receipt of the presentation be acknowledged.

Item 5.1 thru 5.3 DIRECTOR REPORTS

5.3 NDOT Director Report *(taken out of order due to technical difficulties in the Chambers)*

Ms. Kristina Swallow, Director of NDOT, provided updates on traffic safety, stating that there have been 131 lives lost on the Nevada roadway network so far this year, as compared to 133 at the same point the previous year.

Motorcycle and bicyclist fatalities are down but in Washoe County, crashes and fatalities are up 26% from the previous year and occupancy fatalities are up 80%.

COVID-19 caused a large reduction in traffic volumes in March, but since then, reductions are at about 20% or less and in some cases, volumes are higher than in March.

Director Swallow discussed some of the wildfires in the area and noted that NDOT is actively engaged in the fires to close the roads or clean up the roads following a fire. There are also damages that occur, such as guardrails being ruined.

Audio technicalities were repaired at this time.

Director Swallow mentioned a four mile long mudslide in Washoe County, up near the border with Oregon. This is another example of where NDOT staff is involved in natural disasters because they helped to clean the mud away which was 12' deep in some areas.

She then gave updates on the Parr Bridge project and the Spaghetti Bowl Express (SBX) project.

The bridge was removed in mid-June and work has been completed to support the precast new bridge. The project should be completed by the end of August.

The SBX project update included an announcement that the second of four preliminary approvals of the project design had been received and construction activities are still anticipated for late summer. A groundbreaking for the project may not be possible due to the current pandemic.

She then congratulated Commissioner Hartung on being recognized by the Water Environment Federation as the 2020 public official of the year.

Commissioner Hartung mentioned two different fatalities that had recently occurred on Pyramid Highway and asked for a Road Safety Audit from the library northward.

Mayor Smith thanked Director Swallow for her update.

5.1 RTC Executive Director Report

RTC Executive Director Bill Thomas first apologized to everyone for the audio difficulties that took place and then provided updates as follow:

He mentioned that Dale Keller had been promoted to Engineering Manager upon the retirement of Julie Masterpool.

Earlier in the week, the RTC began the Greg Street project and there is a project video available on the RTC website.

Discussions had been taking place amongst the various MPOs to potentially join forces and finances to do a demonstration project for on demand transportation service in spring of 2021. The

demonstration would run from South Reno to Carson City and Lake Tahoe. The RTC has approximately \$300,000 from the CARES Act funds to contribute to the project. If this occurs, it will be brought for approval and direction at the May 2021 Board meeting.

The SCR3 discussion that was supposed to occur has been delayed because the legislature is still in session. An important conversation is planned to figure out how revenue can be collected from non-internal combustion engine vehicles, amongst other topics. The meeting will potentially be moved to August.

RTC, Keolis and MTM have been diligent in following the direction of the Governor and his mandates. Mask dispensers were installed on all the buses for those who do not have a mask, although most do. July 7 – 13, there was actually 100% compliance of the mask mandate. He then thanked Mr. Mark Schlador from the RTC Facilities Maintenance department for getting those installed so quickly.

Lastly, E.D. Thomas provided an update on the status of the Virginia Street BRT Extension project, adding that a video is available on how to navigate a roundabout as there are a couple of them being installed in this project.

Vice Chair Jardon thanked Executive Director Thomas, Keolis GM Abul Hassan and Facilities and Fleet Supervisor Mark Schlador for making the masks available so quickly. She also gave a shout out to RTC passengers for being so good about following the mandate.

5.2 RTC Federal Report

RTC Executive Director Bill Thomas said there is a written report included in the meeting packets and mentioned that the House approved the Invest in America Act which would have funded transportation needs in light of the pandemic and reduced revenues, but it may not be taken up in the Senate as they are working on their own document to address funding needs.

Mobility on Demand, such as RTC FlexRIDE, would have benefited from the Invest in America Act which has been a concern for the RTC.

Item 4 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 had no items for discussion.

Item 10 PUBLIC INPUT

Due to the COVID-19 pandemic, no public comment was accepted after 4:00pm July 16th; therefore, there was no one wishing to speak.

Item 11 MEMBER ITEMS

Vice Chair Jardon said she only requests an update on Nevada Division of Environmental Protection (NDEP) changes with the new administration in place that she had mentioned earlier in the meeting.

Item 12 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 10:05 a.m.



NEOMA JARDON, Vice Chair
Regional Transportation Commission