

# **CARSON CITY REGIONAL TRANSPORTATION COMMISSION**

## **Minutes of the December 12, 2007 Meeting**

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A regular meeting of the Carson City Regional Transportation Commission was scheduled for Wednesday, December 12, 2007 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Shelly Aldean  
Vice Chairperson Larry Hastings  
Russell Carpenter  
Charles Des Jardins  
Richard Staub

**STAFF:** Patrick Pittenger, Transportation Manager  
Harvey Brotzman, Senior Project Engineer  
Dan Doenges, Transportation Planner  
Keith Pearson, Transportation Planning Technician  
Joel Benton, Senior Deputy District Attorney  
Kathleen King, Recording Secretary

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

**A. CALL TO ORDER AND DETERMINATION OF A QUORUM** (6:21:00) - Chairperson Aldean called the meeting to order at 6:21 p.m. Roll was called; a quorum was present.

**B. ACTION ON APPROVAL OF MINUTES - November 14, 2007** (6:21:25) - Chairperson Aldean noted corrections to the minutes. She called for additional comments and, when none were forthcoming, entertained a motion to approve the minutes, as amended. **Vice Chairperson Hastings moved to approve the minutes, as amended. Commissioner Des Jardins seconded the motion. Motion carried 5-0.**

**C. MODIFICATION OF AGENDA** (6:23:55) - Mr. Pittenger withdrew item F-1, as unnecessary. In response to a question, he explained that action had not been taken on the interlocal agreement between Carson City and Douglas County at the time the agenda was prepared and posted. In order to comply with Nevada Open Meeting Law requirements, the item was agendized for possible action by this commission.

**D. PUBLIC COMMENT** (6:24:33) - None.

**E. DISCLOSURES** (6:24:57) - Chairperson Aldean advised of having received an e-mail and a telephone call from two Carson City residents expressing opposition to continuing JAC Service to Douglas County.

**F. PUBLIC MEETING ITEMS:**

**F-1. POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH DOUGLAS COUNTY THAT WOULD PROVIDE FOR DOUGLAS COUNTY TO SUBSIDIZE A PORTION OF THE LOCAL COST OF OPERATING THE JAC TRANSIT SYSTEM IN COMPENSATION FOR THE PROVISION OF SERVICE TO DOUGLAS COUNTY. THE AGREEMENT WILL BE EFFECTIVE NO SOONER THAN JANUARY 7, 2008** - Withdrawn.

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**F-2. POSSIBLE ACTION TO PRELIMINARILY APPROVE A MODIFICATION OF JAC ROUTE 3. THE PROPOSED MODIFICATION WOULD RESULT IN A REDUCTION IN SERVICE AREA, THE ELIMINATION OF SERVICE TO DOUGLAS COUNTY. THE SERVICE MODIFICATION WOULD ALSO RESULT IN ADDITIONAL SERVICE AREA COVERAGE WITHIN CARSON CITY (6:25:15)** - Mr. Pittenger provided a brief overview of the Request for Commission Action. He advised that the Douglas County Board of Commissioners, at their December 6, 2007 meeting, had unanimously voted not to enter into agreement with Carson City on the provision of JAC bus service in Douglas County. He reviewed staff's recommended action to begin the process to modify the south end of JAC route 3 which currently travels into Douglas County. He emphasized the requirement to complete a public participation process prior to any reduction in service. He reviewed elements of the public participation process, including advertisement / notification of the intent to modify the route, a public meeting, and presentation to this commission of the public input received.

Mr. Pittenger reviewed the existing and proposed route modification, as follows: Route 3 currently travels south into Douglas County, makes a single stop on Topsy Lane, travels to Costco, and then north on Carson Street. The proposed modified route would stop at Costco and, with the time savings, "service could be provided east of Carson Street on Clear Creek Road that would serve a mobile home park, a retail establishment, the Indian community, a facility operated by F.I.S.H., a facility operated by Advocates to End Domestic Violence. On the way back to return to the current route at the intersection of Clearview and Carson Street, service would return to Clearview ..." with a stop prior to the planned future opening of the Burlington Coat Factory. Mr. Pittenger acknowledged that the proposed modification would reduce service to Wal-Mart, but pointed out there would be additional service to "several very justifiable locations in Carson City without any additional cost to the system." In addition, he pointed out there would be no time changes from the corner of Clearview Drive and Carson Street north.

(6:29:08) At Chairperson Aldean's request, Douglas County Manager Dan Holler approached the podium. Mr. Holler acknowledged "that there was no appetite ... to counter the agreement that was forwarded to the commission for consideration." He advised that three different options were presented to the Douglas County Commission: to fund the agreement, as presented, with a not-to-exceed amount; to offer a smaller dollar amount equal to a little less than half "of what we were saving with the RTC cancellation;" or to not enter into the agreement. The Douglas County Commission unanimously voted not to enter into the agreement. In response to a question, Mr. Holler advised that "the transit folks had made the comment of not seeing it as necessary. ... We were really kind of pushing for the mid-level, putting some dollars into it to keep the service." Mr. Holler explained that "it really was put to them primarily as a policy issue."

Chairperson Aldean reviewed a proposal to extend DART service to Costco to provide the opportunity for current JAC users to access the north valley. "They could rendezvous with DART at Costco and continue south into Douglas County. Mr. Holler advised this was a request by the Douglas County Commissioners to "look at those types of options." He acknowledged an interest in maintaining some connection between the two counties to provide for those people who work in Douglas County. In response to a question, Mr. Holler advised that DART currently loops through the north valleys shopping center. He suggested the possibility of "dropping down to Costco, coming back up into the Wal-Mart, Carson Valley area." Mr. Holler was uncertain as to "whether they would stop on the way through and on the way back." He acknowledged an intent to coordinate the DART and JAC schedules in order to accommodate transfers.

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In response to a further question, he advised of having requested of Douglas County Transportation Division staff to consider modifying the DART route. He has yet to follow up on coordination with the JAC schedule.

Mr. Pittenger advised of having reassured Costco representatives that there will be no significant change in the JAC route time. He inquired as to the possibility of Douglas County sharing costs associated with improving the bus stop at Costco. He advised of having approached Douglas County representatives, over a year ago, to inquire as to the possibility of “any form of a transfer agreement” to reduce fares between the two services. “There was no interest in any agreement. So, right now, if you transfer between DART and JAC, you do have to pay the full fare for both.” Mr. Pittenger advised that Carson City remains open to the possibility of entering into a transfer agreement. He further advised that requiring a transfer, at that point, would result in a “big drop off in ridership just because whenever you require a transfer, it is much less attractive to the riders.” He further advised that the executive directors of both F.I.S.H. and Advocates to End Domestic Violence have expressed an interest in having transit service more conveniently available to their clients. Chairperson Aldean noted the crucial need for transit service to these community organizations. Mr. Pittenger advised of people who walk “from these facilities, down Clear Creek, across Carson Street, and to the stop near Costco as their only alternative for transit.”

Vice Chairperson Hastings inquired as to the future possibility of Douglas County requesting funding from Carson City. He expressed appreciation for Mr. Pittenger’s assurance that “additional ridership ... would take up the slack.” He noted the difficult position in which Douglas County had put this commission. Mr. Holler reiterated the interest in keeping the systems connected. He advised of a brief discussion with his staff during which he provided direction that there would not be a request for any funding. He expressed the understanding that transfer issues had been previously resolved, and advised he would follow up on this. He advised of having previously discussed transfers being accomplished with no charge “unless they go all the way into Minden.”

Commissioner Staub expressed concern over eliminating the availability of current service to Carson City residents to work or to shop in the north valley stores. He pointed out that “transit companies ... are here to move people.” He expressed no concern over an “invisible geographic boundary that obviously the federal government didn’t think was very important when they adopted our CAMPO boundaries in serving the people of our community ...” He expressed an interest in Carson City and Douglas County developing a program within a very short period of time as a benefit to both communities. He requested that such a program be developed prior to taking “somewhat drastic” measures to eliminate service that will immediately and adversely affect residents of both communities. He advised he would endorse such an approach prior to this commission taking action on the subject item.

Commissioner Carpenter expressed a preference for Mr. Pittenger and Douglas County representatives to re-enter discussions regarding transfers. He expressed the further preference to enter into negotiations with Douglas County for cost sharing improvement of the bus stop in the area of Costco. He noted the requests for transit service by both F.I.S.H. and Advocates to End Domestic Violence representatives. He advised of not having heard any requests for transit service to the north valley shopping area. He expressed appreciation for the proposal to modify route 3 to provide service “to folks that have requested our service and to improve a JAC facility.” He reiterated a request for Mr. Pittenger to enter into further negotiations and dialogue with Douglas County. “If we choose to discontinue service, ... we make this as seamless as

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possible.” Commissioner Des Jardins commented on the long-standing request for more convenient transit service by F.I.S.H. and Advocates to End Domestic Violence representatives. He agreed with continuing to work with Douglas County “to somehow not have stuff like that come before us again in the future.”

Vice Chairperson Hastings agreed with Commissioner Staub’s comments in that his outlook is for Carson City citizens. He noted the service was implemented “to serve those people.” He expressed difficulty with the idea of eliminating the service. In response to a question, Mr. Pittenger advised that if route 3 remained in its present configuration, no modification could be made to better accommodate the F.I.S.H. and Advocates riders. He explained that the Transit Development Plan will consider potential ways to serve many areas of the City in the future, but not under the current routing alignment. “With as little service as we have, meaning once an hour, it’s imperative that we have that time transfer downtown every hour so at least you can transfer between the routes. We don’t have enough time currently in the schedule to add that to the route without taking away from somewhere else.” Mr. Pittenger advised that termination of service to Douglas County offered an opportunity to serve one well-deserving area. In response to an earlier comment, he advised that the existing route 3 is well used. He reiterated the acknowledgment that modification of the route would translate to a disruption in the lives of people who have come to depend upon the service.

Chairperson Aldean opened this item to public comment; however, none was forthcoming. She provided background information on the request to Douglas County to enter into a cost-sharing arrangement. She noted the two-year time frame associated with the original informal request, and that eight months had elapsed since entering into formal negotiations with Douglas County. Mr. Pittenger advised of having become involved in the negotiations as of July 2007. He noted that the timing of the formal request presented to Douglas County followed their receipt of funds from the Federal Transit Administration. Chairperson Aldean expressed the hope that there would have been at least a counterproposal from Douglas County; that “somebody on the Douglas County Commission felt that this route had value.” She noted the general consensus that the route “doesn’t have value.” She further noted having received no counteroffers in spite of the fact that Carson City has saved Douglas County \$13,000. She expressed the opinion that Carson City “has gone the extra mile in an effort to cooperate.” She acknowledged that some people will be inconvenienced, but suggested the people served by F.I.S.H. and the Advocates to End Domestic Violence are worthy of consideration by this commission. She applauded Carson City citizens, who commute to the north valleys shopping center to work and shop, on their support of public transit. She suggested the “benefit ... is more to Douglas County because those people are working for people who are doing business in the north valley. The shoppers are spending money outside of Carson City.” She noted Douglas County’s right to not fund JAC, and acknowledged their fiscal challenges. She further noted the commission had delayed action hoping to enter into some sort of reasonable arrangement with Douglas County. She noted that staff’s recommended action simply initiates the process to modify route 3, and that there will be more than ample opportunity for the public to express their concern. She noted no citizens present to testify at this meeting. She expressed the opinion that the commission needs to move forward by taking formal action to modify JAC route 3. She requested Mr. Pittenger to reiterate explanation of the public participation process and time lines associated with terminating service to Douglas County.

Mr. Pittenger noted that this meeting is part of the public participation process. Staff will proceed to publish a notice in the newspaper of the intent to modify route 3 and announcing the public meeting. Mr. Pittenger advised he was considering Thursday, December 27<sup>th</sup> to comply with the time line. He anticipates the public meeting will be held at the Carson City Library. Additionally, fliers will be available on the

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buses notifying passengers of the intent to modify the route and of the public meeting. Mr. Pittenger advised that notice could be provided to the affected area, but pointed out there are only Douglas County businesses in the area. He advised of having spoken with an area business owner / operator, who expressed concern. He noted that person was not present at the meeting, and advised he was unaware as to whether the person had provided input to Douglas County representatives. Mr. Pittenger advised that comments from the public meeting will be compiled and presented to this commission. A final decision could then be made at the regularly-scheduled January 9<sup>th</sup> commission meeting or, if necessary, the special meeting scheduled for January 22<sup>nd</sup>.

Chairperson Aldean discussed the need to be provocative, at this point, and suggested the opportunity for Douglas County to change its position and approach City staff with a counterproposal. She entertained a motion. Commissioner Staub expressed the opinion that "this mentality is like jumping over quarters to pick up dimes." He noted the \$400,000+ invested in the transit system, and commented that \$16,000 is a minimum amount of money in that process. He suggested that there hadn't been "a huge amount of staff time" invested in the process. He expressed opposition to alarming the riders over the possibility of losing route 3. He expressed a preference to spend staff time negotiating a prudent agreement, as proposed by Mr. Holler, that addresses the interconnect as well as cost-sharing improvement of a bus shelter. He expressed a willingness to go the extra mile to do so without disrupting the service in any way. He advised he would not endorse the motion based upon Mr. Holler's presentation.

Chairperson Aldean pointed out that Mr. Holler had no authority to dictate to the Douglas County Commission. She reviewed various scenarios discussed to accommodate Douglas County sharing the costs associated with route 3. She endorsed the possibility of waiting until February to bring this item back to this commission for final action. She reiterated the importance of provoking a response from Douglas County, and expressed appreciation for Mr. Holler's "laboring under some limitations." She suggested that taking the proposed action will provoke Douglas County "to really enter into serious negotiations with Carson City to address the issues ... identified," i.e., whether or not to allow DART to provide service to Costco, whether or not Douglas County would agree to share in the cost of building a bus shelter, whether Douglas County would agree to no additional transfer fee. She reiterated no opposition to delaying modification to route 3 for the sake of the people using the service. She noted the importance of time lines that will require both parties to be accountable.

Mr. Pittenger discussed the extreme frustration experienced in negotiations with Douglas County representatives. He advised that the agenda report presented to the Douglas County Commission stated transit staff's recommendation to not enter into any agreement with Carson City. He advised of having discussed the matter with Douglas County transit staff, who indicated they "had no idea that any of this was going on." He noted the difficulties in making any headway with the negotiations, and reiterated the frustrations experienced to date.

Vice Chairperson Hastings expressed difficulty with determining future ridership in the possible modification of route 3. He expressed a willingness to wait a month or two to modify the route, but agreed that a decision needs to be made tonight "that without any concrete commitment from Douglas County, route 3 is terminated at Costco."

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At Commissioner Carpenter's request, Chairperson Aldean entertained a motion. **Commissioner Carpenter moved to approve the modification of JAC route 3; the proposed modification would result in a reduction in service area, the elimination of service to Douglas County; the service modification would also result in additional service area coverage within Carson City; in addition, to assign staff to enter into dialogue with Douglas County regarding transfers and transfer connect schedules at Costco, and to begin negotiation with Douglas County over cost for a bus stop at Costco, and for that to be returned to the commission by January 9<sup>th</sup>. Commissioner Des Jardins seconded the motion.** Mr. Pittenger requested Commissioner Carpenter to amend his motion to indicate that a public participation process will be initiated. **Commissioner Carpenter so amended his motion. Commissioner Des Jardins continued his second.**

In response to a question, Mr. Pittenger agreed to develop a ridership estimate for a modified route 3. He anticipated an immediate ridership decrease with modification of route 3. He further anticipated immediate use on Clear Creek Road and an eventual increase with the opening of the Burlington Coat Factory. Chairperson Aldean requested Mr. Pittenger to project out to August 2008 in anticipation of the opening of the Sportsman's Warehouse. She noted 43 potential users from F.I.S.H. based on information provided in the agenda materials. In response to a question, Mr. Pittenger advised that the public participation process will move into January 2008. He acknowledged that service would continue until the matter is presented again to this commission. He explained that any action taken by this commission would need to specify the termination of service date. Notice would be provided to the users of said termination.

In the interest of unanimity, Commissioner Staub proposed that staff re-agendize the item for review at the February commission meeting. He requested staff's further negotiation with Douglas County based on Mr. Holler's representations. In response to a question, Commissioner Carpenter expressed concern over "spreading this out for another 45 days." He expressed an interest in developing a time line for staff to "enter into stern negotiation with Douglas County and have them report back to us by the 9<sup>th</sup> as to what progress they've made." He didn't consider the route termination eminent or that it would take place within 45 days. He expressed an interest in impressing upon all parties that "we've stopped shuffling and we're going to go forward ... sternly." He noted that 26 months had already been invested in the negotiation process, and suggested concluding this issue and getting on with other things. He further noted Mr. Holler's indication of support for transferring riders from the Costco area to the north valley shopping center. This indicates there will be no reduction in service, "just ... perhaps different service." Chairperson Aldean suggested having staff report back to the commission at the January 9<sup>th</sup> meeting, and agendizing formal action for the February commission meeting.

Mr. Pittenger advised that even a properly-timed transfer would translate to a "de facto reduction in service." He estimated the likelihood of a smooth transfer at Costco as very low because of the relatively small amount of flexibility in the JAC schedule. Commissioner Des Jardins agreed with agendizing a January 9<sup>th</sup> staff briefing, and action at the February commission meeting. In response to a question, **Commissioner Carpenter indicated his concurrence with the amendment proposed by Commissioner Staub, and that staff will agendize a briefing for the January 9<sup>th</sup> commission meeting. Commissioner Des Jardins continued his second.** Chairperson Aldean called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 5-0.**

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#### **G. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS**

**G-1. STREET PROJECT REPORT** (7:07:55) - Mr. Brotzman noted the new report format, and reviewed the reports included in the agenda materials. With regard to the Stewart Street to Curry Street extension project, Mr. Brotzman advised he would return to the commission with an answer to a question regarding the U.S. Forest Service's previous resistance to the project. With regard to the Appion Way and U.S. 395 intersection improvements project, Mr. Brotzman acknowledged a cost sharing arrangement between the RTC, in the amount of \$290,000, and the Ribeiro Corporation in the amount of \$110,000. Chairperson Aldean requested Mr. Brotzman to reflect these figures in the project description. She commended Mr. Brotzman on the new report format. Mr. Pittenger advised that Mr. Brotzman worked with Capital Program Manager Kim Belt to develop an entirely new system "to run the capital improvement program for the entire City." Chairperson Aldean thanked Mr. Brotzman for his report.

**G-2. STREET OPERATIONS REPORT** (7:10:54) - Chairperson Aldean entertained questions or comments on this report from the commissioners and from the public. None were forthcoming.

**G-3. FUTURE AGENDA ITEMS** (7:11:06) - Vice Chairperson Hastings inquired as to the status of the "noise program." Mr. Pittenger advised that staff is working to "craft something that will meet the requirements of having a policy in place that doesn't have a specific stated threshold that allows us to have something to follow but is not too ... rigid." He expressed the hope that he will have something to present to the commission at the January meeting. He advised staff will continue working with Mr. Brotzman and Mr. Benton. In response to a question, Mr. Benton advised he is working with Mr. Pittenger to develop a legally-defensible policy. Chairperson Aldean referred to the recently-modified cooperative agreement with NDOT for landscape improvements along the first phase of the freeway. In response to a question, Mr. Benton advised that Park Planner Vern Krahn had taken the lead on scheduling a meeting with NDOT representatives. Mr. Pittenger advised of an internal meeting scheduled with Mr. Benton, Public Works Department Director Andrew Burnham, and Mr. Krahn for Thursday, December 13<sup>th</sup>. Chairperson Aldean requested Mr. Pittenger to report back to the commission at the January meeting. Mr. Pittenger reviewed the tentative January 9<sup>th</sup> commission agenda. He advised of an additional commission meeting scheduled for Tuesday, January 22<sup>nd</sup>, the primary purpose for which will be to award the contract for the Fairview Drive widening project.

**H. ACTION ON ADJOURNMENT** (7:14:35) - Chairperson Aldean wished everyone a Merry Christmas and a Happy New Year. She entertained a motion to adjourn. **Vice Chairperson Hastings so moved. Commissioner Des Jardins seconded the motion. Motion carried 5-0.**

The Minutes of the December 12, 2007 Carson City Regional Transportation Commission meeting are so approved this 9<sup>th</sup> day of January, 2008.

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SHELLY ALDEAN, Chair