

CARSON CITY REGIONAL TRANSPORTATION COMMISSION

Minutes of the October 30, 2008 Meeting

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A meeting of the Carson City Regional Transportation Commission was scheduled for 12:00 p.m. on Thursday, October 30, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Shelly Aldean
Charles Des Jardins
Larry Hastings
Richard Staub

STAFF: Larry Werner, City Manager
Patrick Pittenger, Transportation Manager
Harvey Brotzman, Senior Project Manager
Daniel Doenges, Transportation Planner
Jeff Sharp, City Engineer
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 QUORUM (12:00:40) - Chairperson Aldean called the meeting to order at 12:00 p.m. Roll was called; a quorum was present. Vice Chairperson Carpenter was absent.

B. ACTION ON APPROVAL OF MINUTES (12:01:05) - None.

C. MODIFICATION OF AGENDA (12:01:08) - None.

D. PUBLIC COMMENT (12:01:12) - None.

E. DISCLOSURES (12:01:33) - None.

F. PUBLIC MEETING ITEMS:

F-1. ACTION TO APPROVE AN AGREEMENT WITH THE RIBEIRO COMPANIES TO PROVIDE FOR THE CONSTRUCTION OF THE APPION WAY EXTENSION PROJECT (12:03:55) - Mr. Pittenger reviewed the agenda report. Chairperson Aldean noted the presence of Mr. Ed Yuill in the meeting room. He declined the offer to comment. Chairperson Aldean called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Staub moved to approve an agreement with The Ribeiro Companies to provide for the construction of the Appion Way Extension Project; funds shall come from RTC to be reimbursed at \$110,000.** Commissioner Hastings seconded the motion. In response to a question, Mr. Pittenger reviewed the project funding sources. At Chairperson Aldean's request, Mr. Pittenger advised that, with regard to change orders, the agreement provides for "actual costs experienced. There is no limit for the \$192,000 ...; it's based on the actual costs." In response to a question, Mr. Benton advised that the exhibit to the contract sets forth exactly those portions of the contract for which Ribeiro will be responsible, and they will pay actual costs. Chairperson Aldean called for a vote on the pending motion. **Motion carried 4-0.**

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F-2. ACTION TO DETERMINE THAT HERBACK GENERAL ENGINEERING, LLC, IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 0809-115, APPION WAY EXTENSION PROJECT TO HERBACK GENERAL ENGINEERING, LLC, FOR A BID AMOUNT OF \$400,177.35 PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$40,000.00 TO BE FUNDED FROM THE RTC ROAD CONSTRUCTION ACCOUNT, AS PROVIDED IN FY 2007 / 2008 (12:06:52) - Mr. Pittenger reviewed the staff report. In response to a question, Mr. Brotzman advised that the box culverts will be provided by the owner. In response to a further question, he advised that moving the box culverts is the responsibility of the contractor. Chairperson Aldean noted a correction to the fiscal impact in the explanation and in the contract document, under Section 5.1.

Chairperson Aldean called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Des Jardins moved to determine that Herback General Engineering, LLC is the lowest responsive and responsible bidder, pursuant to NRS 338, and to award Contract No. 0809-115, Appion Way Extension Project to Herback General Engineering, LLC for a bid amount of \$400,177.35, plus a contingency amount not to exceed \$40,000, to be funded from the RTC Road Construction Account, as provided in FY 2007/2008. Commissioner Staub seconded the motion and noted the fiscal impact not to exceed \$440,177.35. Motion carried 4-0.**

F-3. ACTION TO APPROVE AND AUTHORIZE THE CHAIR TO SIGN AN AGREEMENT BY AND BETWEEN THOMAS A. GAST AND MEGAN M. GAST, HUSBAND AND WIFE, AS JOINT TENANTS AND CARSON CITY, WHEREBY THOMAS A. GAST AND MEGAN M. GAST, HUSBAND AND WIFE, AS JOINT TENANTS, AGREE TO: (1) SELL AND CONVEY A PORTION OF CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NO. 002-113-05, INCLUDING A UTILITY EASEMENT; AND (2) GRANT PERMISSION TO CONSTRUCT UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NO. 002-113-05 FOR THE PURPOSE OF ROADWAY CONSTRUCTION RELATED TO THE EXTENSION OF NORTH STEWART STREET (12:10:06) - Mr. Pittenger reviewed the staff report. Chairperson Aldean advised of having reviewed a similar acquisition, and that the subject property is being purchased at \$129 per square foot. Mr. Pittenger advised that the acquisition also considered the loss of on-street tenant parking. Chairperson Aldean called for commissioner and public comments. When none were forthcoming, she entertained a motion. **Commissioner Hastings moved to approve and authorize the chair to sign an agreement between Thomas A. Gast and Megan M. Gast, husband and wife as joint tenants, and Carson City, whereby Thomas A. Gast and Megan M. Gast, husband and wife as joint tenants, agree to (1) sell and convey a portion of certain real property described as APN 002-113-05, including a utility easement; and (2) grant permission to construct on, over, and across certain real property described as APN 002-113-05 for the purpose of roadway construction related to the extension of North Stewart Street, fiscal impact \$25,000. Commissioner Staub seconded the motion. Motion carried 5-0.**

G. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (12:14:08) - Commissioner Staub noted that most of Fairview Drive was open. He commended the project as a "great piece of engineering marvel," and congratulated staff on getting the project completed as quickly as possible.

G-1. FUTURE AGENDA ITEMS (12:12:35) - Mr. Pittenger advised that the next commission meeting would be held on Wednesday, November 12th. He reviewed the tentative agenda.

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H. ACTION ON ADJOURNMENT (12:14:45) - Commissioner DesJardins moved to adjourn the meeting at 12:14 p.m. Commissioner Staub seconded the motion. Motion carried 4-0.

The Minutes of the October 30, 2008 Carson City Regional Transportation Commission are so approved this 12th day of November, 2008.

SHELLY ALDEAN, Chair