A regular meeting of the Carson City Regional Transportation Commission was scheduled to begin immediately following adjournment of the Carson Area Metropolitan Planning Organization meeting on Wednesday, May 11, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Shelly Aldean
Vice Chairperson James Mallery
Commissioner Robert Crowell
Commissioner Charles Des Jardins

STAFF: Darren Schulz, Deputy Public Works Director
Patrick Pittenger, Transportation Manager
Jeff Sharp, City Engineer
Ken Smithson, Transit Coordinator
Randal Munn, Chief Deputy District Attorney
Kathleen King, Deputy Clerk / 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 part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER AND DETERMINATION OF A QUORUM (4:46:43) - Chairperson Aldean called the meeting to order at 4:46 p.m. Roll was called; a quorum was present. Commissioner Carpenter was absent, and Chairperson Aldean advised that said absence was excused.

B. ACTION ON APPROVAL OF MINUTES - April 13, 2011 (4:47:24) - Commissioner Des Jardins moved to adopt the meeting minutes. Vice Chairperson Mallery seconded the motion. Motion carried 4-0.

C. MODIFICATION OF AGENDA (4:48:03) - None.

D. PUBLIC COMMENT (4:48:09) - None.

E. DISCLOSURES (4:48:33) - Commissioner Des Jardins reported on a recent meeting he attended at Eagle Valley Middle School. Chairperson Aldean entertained additional disclosures; however, none were forthcoming.

F. CONSENT AGENDA (4:49:24) - Chairperson Aldean advised that she would pull item F-1.

F-1. ACTION TO DETERMINE THAT INTERMOUNTAIN SLURRY SEAL, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1011-207, LONG LINE STRIPING PROJECT, FOR A BID AMOUNT OF $75,785.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED $7,800.00, WITH THE OPTION TO RENEW FOR FIVE (5) ADDITIONAL YEARS SUBJECT TO NEGOTIATION, TO BE FUNDED FROM THE STREETS SUPPLIES, SIGNS, AND PAINT FUND, AS PROVIDED IN FY 2010 / 2011 (4:49:45) - Chairperson Aldean introduced this item, and Mr. Schulz responded to questions relative to the terms of the subject contract. In response to a further question, Mr. Schulz advised of the intent to provide for a renegotiation "or we could decide that we want to go out and rebid this" from year to year. Chairperson Aldean suggested no reason to enter into a five-year contract without some financial benefit to the RTC. Mr. Schulz explained the intent to convey, in good faith, to Intermountain Slurry Seal, Inc. that they had first right at future price negotiations. He acknowledged having discussed the possibility of fixing the unit prices and advised that Intermountain Slurry Seal representatives were not interested.

Chairperson Aldean entertained additional commissioner questions or comments and public comments. When none were forthcoming, she entertained a motion. **Commissioner Crowell moved to determine that Intermountain Slurry Seal, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1011-207, Long Line Striping Project, for a bid amount of $75,785.00, plus a contingency amount not to exceed $7,800, with the option to renew for five additional years, subject to renegotiation, to be funded from the Streets Supplies, Signs, and Paint Fund, as provided in FY 2010 / 2011; with the acknowledgment that the City has the ability to terminate the contract for any reason. Vice Chairperson Mallery seconded the motion.** In response to a question, Mr. Schulz provided an explanation relative to the difference between the two bids. He anticipates no change orders. Chairperson Aldean called for a vote on the pending motion. **Motion carried 4-0.**

G. PUBLIC MEETING ITEMS:

G-1. ACTION TO ADOPT RESOLUTION NO. 2011-RTC-R-1 IN MEMORIAL OF KEITH PEARSON, WHO SERVED AS A CARSON CITY EMPLOYEE FOR MORE THAN SIX YEARS, INCLUDING AS THE TRANSIT COORDINATOR AND STAFF TO THE RTC (4:54:00) - Chairperson Aldean introduced this item, and Mr. Pittenger thanked her for suggesting it. He provided background information, and reviewed the agenda materials. Chairperson Aldean read the language of the Resolution into the record, and expressed her personal condolences to Mr. Pearson's family. She commended his professionalism and deemed him "a real asset to the Public Works Department." She wished his family well. Commissioner Des Jardins expressed appreciation for the "good work" Mr. Pearson "left behind that staff has built on." He expressed the hope that Mr. Pearson's young sons will have many reminders of their father's importance in the community.

Chairperson Aldean entertained a motion. **Vice Chairperson Mallery moved to adopt Resolution No. 2011-RTC-R-1 in memorial of Keith Pearson, who served as a Carson City employee for more than six years, including as the Transit Coordinator and staff to the RTC. Commissioner Des Jardins seconded the motion.** Chairperson Aldean entertained public comment. (4:57:47) NDOT Transportation Planner / Analyst Dennis Taylor expressed condolences to Mr. Pearson's family, and commended Mr. Pearson on his good working relationship with his counterparts at NDOT. Chairperson Aldean entertained additional public comment; however, none was forthcoming. Commissioner Crowell suggested a revision to the title of the Resolution to read "A Resolution Honoring the Memory of Keith Pearson," and the commissioners concurred. Chairperson Aldean noted the revision and called for a vote on the pending motion. **Motion carried 4-0.**

G-2. INFORMATION ON THE CARSON CITY FREEWAY LANDSCAPING PROJECT BEING IMPLEMENTED BY THE NEVADA DEPARTMENT OF TRANSPORTATION (4:59:16) - Chairperson Aldean introduced this item, and Mr. Pittenger provided background information. (5:00:55)

Carson City Freeway Project Manager Nate Johnson introduced himself for the record, provided an overview of the presentation and a status report on the freeway project. In response to a question, Mr. Johnson advised that "it's uncertain, at this point, if the funding's going to be available or not, but if and when we have the design complete, as soon as it becomes available, we can get the green light and go ahead and move forward with advertisement of it." (5:03:17) NDOT Transportation Planner / Analyst Dennis Taylor provided background information on the time table associated with the freeway project. He advised that federal funding may delay the project, and discussed the same. Chairperson Aldean expressed appreciation for the sincerity of NDOT staff's commitment to the project, acknowledging the importance of a shovel-ready project. In response to a question, Mr. Johnson estimated the cost to complete the freeway project at $70 to $80 million. He acknowledged this would include landscaping and the Highway 50 interchange.

(5:06:27) Nevada Department of Transportation Senior Landscape Architect John LeToile narrated a SlideShow presentation of the landscape and aesthetic concepts for the freeway landscape project, copies of which were included in the agenda materials. He requested the Commission's endorsement of the proposed designs and proposed long-term funding for the maintenance of the planting and irrigation which, he clarified, would be at the Fairview and the U.S. 50 / South Carson Street interchanges. He advised of having researched bids for similar costs and expressed an "opinion of cost" for the Fairview interchange at $16,000 to $20,000 per year and for the South Carson Street interchange at $35,000 to $40,000 per year. "... that would include trash pick up that's collected in the planting, taking care of the irrigation, pruning, and weed abatement." Chairperson Aldean thanked Mr. LeToile for his presentation.

Commissioner Mallery commended Mr. LeToile's presentation and, in response to a question, Mr. LeToile advised that the quoted cost estimates would not include the cost of water or new plants. "... the cost of ... new plants and irrigation ... would be provided by NDOT." He clarified that pricing of the designs has not yet taken place, "but that's our intent. If we can fund the installation of the irrigation and the planting, then we would need another entity to ... fund the maintenance." He expressed the belief that maintenance would be done by a private contractor. In response to a further question, he advised that NDOT would "provide the sleeving or any way that would make it at least possible through maybe a community grant project ... so that the City could come back in and install planting and irrigation." In response to a further question, he advised of no cost estimate for the planting.

Chairperson Aldean advised that the commission would defer to staff to determine the financial feasibility of the proposal. She reiterated appreciation for the presentation and commended Mr. LeToile's sensitivity to the history of the area. In response to a question, Mr. LeToile advised of some areas "especially at the South Carson Street interchange that may be more accessible to the public and we'd need to create a fence or some type of barrier; something that's also aesthetically pleasing and works with the concept so that people can't approach or get too close to these features." He acknowledged that the fence would be an NDOT expense. In response to a further question, Mr. LeToile advised of the proposal to use lighting at the South Carson Street interchange and possibly at the Fairview interchange depending upon funding. He acknowledged that solar power would be a good option. Commissioner Mallery noted the importance of "know[ing] the price for everything ..." Mr. LeToile advised that NDOT would be responsible for maintaining the hardscape features, "the silhouette, ... the metal pieces, the sculptural pieces, graffiti abatement ..." He acknowledged the intent of the proposal for the City to maintain the landscaping. In response to a further question, Mr. LeToile advised that "plan B is to do what we've done at Fairview and that's the hydroseeded landscape." He acknowledged that NDOT "would take care of all of that."

Commissioner Des Jardins expressed appreciation for Mr. LeToile's hard work in consideration of meeting "the perception of this community." He expressed an interest in reviewing more detailed cost estimates. Mr. Pittenger and Mr. LeToile reviewed the time line associated with the proposed project. Following a brief discussion, consensus of the commission was to re-agendize an action item for the June meeting. Park Planner Vern Krahn advised that cost estimates will soon be available for landscape maintenance of the northern leg of the freeway. He suggested that costs could be extrapolated for the subject proposal. Chairperson Aldean expressed an interest in NDOT's proposed investment in plant stock. Chairperson Aldean entertained public comment; however, none was forthcoming. She thanked Mr. LeToile for his presentation.

G-3. ACTION TO APPROVE CHANGE ORDER NO. 9, IN THE AMOUNT OF $126,000.00, TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND TO APPROVE THE RELEASE OF FINAL PAYMENT, IN THE AMOUNT OF $373,473.34 FOR CONTRACT NO. 0910-131, TITLED ROOP STREET WIDENING - PHASE II PROJECT, TO PEAVINE CONSTRUCTION, INC. (5:30:36) - Chairperson Aldean introduced this item. Mr. Sharp provided background information, reviewed the agenda materials, and distributed to the commissioners and staff an April 8, 2011 letter from Michael Faretto of Peavine Construction. He advised of "quite a few utility conflicts and coordination issues that we had throughout the project with Southwest Gas and with NV Energy. There were existing gas lines that were supposed to be moved out of the way prior to Peavine showing up on the project that either weren't relocated adequately or, in some cases, they weren't relocated at all. They relocated a fair amount of the existing gas main, but ... nobody thought about the existing gas services that go to the individual residences and, as it turned out, those services were so shallow that they got into our subgrade of our new road and so the contractor couldn't work around that. ... and there were other issues; issues with the existing power poles. The power lines had to be moved off and put underground and then the power poles ultimately removed. The contractor had to work around existing gas utilities ... and power utilities and it really affected their production on the project. The other thing that was a challenge on this project was the ... City utilities, the water and the sewer. It seemed like every time we turned around, there was something encountered underground that we just didn't expect. Our design engineer, design team did as best they could to figure out where existing utilities were short of going out and potholing all these utilities prior to construction. ... it's really not feasible on a project like that to go digging down the street ahead of time and so, basically, they had to take off utility covers and try to make a best guess, look at plans and things like that. There were just a lot of things underground that we didn't expect. And there were also some design changes that were made during construction that really affected the contractor's schedule. Actually, what it affected was the amount of work. We never gave Peavine Construction additional ... time to complete the work. Every change order that we gave them, we said, 'Look, you need to give us a price to complete this work, but you have to stay on schedule,' because we knew that we had to get it paved out before the winter. And ... they agreed to that, but they didn't take into account the fact that we were giving them a lot more work and that they were going to have to use over time." Mr. Sharp described an extensive change order relative to "how the project interfaced with the existing properties. ... those kind of things just really took a lot of extra time for the contractor."

Mr. Sharp advised that he and Mr. Schulz met with the contractor and reviewed the materials submitted. "We ended up negotiating with them to this Change Order No. 9, for $126,000. And basically, they're willing to walk away from the project and agree not to file any claims on the project if you're willing to agree to accept this $126,000 change order." Mr. Sharp explained "the next step, per the contract is mediation and then, after that, it's binding arbitration." He reiterated staff's belief that "there were substantial changes and that if the contractor had really been paying attention to what was going on, they'd have gotten their $126,000 out of us with the change orders. They just didn't do that. They didn't manage the project well from a financial standpoint, and any other contractor would have nailed us on each and every change order and gotten $126,000 out of us."

Chairperson Aldean advised of having met with Mr. Sharp and Mr. Schulz in consideration of her initial concern that Peavine Construction had deliberately underbid the project. Mr. Sharp advised of having researched the "next lowest bid" which was "about $198,000 higher than Peavine Construction." Chairperson Aldean advised of having been persuaded, after meeting with Mr. Sharp and Mr. Schulz, that the request is justified; "it's less than they had originally requested and certainly less than they lost on the project." She acknowledged the complications associated with the project. Mr. Sharp acknowledged that the consultant is presently working on the as-builts.

In response to a question, Mr. Sharp advised that the pending change orders referenced in the letter were "already in the works. So those were already agreed upon between the City and the contractor." He acknowledged that the $126,000 is "over and above all the change orders that have already been agreed upon." Chairperson Aldean entertained additional commissioner questions or comments and, when none were forthcoming, emphasized that the contractor did honor their original unit prices. Mr. Sharp advised that a ten percent contingency is typically included for City projects, and that the subject project "came out to 12.2 percent." This includes the base bid in addition to Amendment No. 1. He expressed the opinion that "we got our 2.2 percent worth on this project ... It was a complicated project."

Chairperson Aldean entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Mallery moved to approve Change Order No. 9, in the amount of $126,000.00, to accept the work as completed, to accept the contract summary as presented, and to approve the release of final payment in the amount of $373,473.34 for Contract No. 0910-131, titled Roop Street Widening - Phase II Project, to Peavine Construction, Inc. Commissioner Des Jardins seconded the motion. Motion carried 4-0.** Commissioner Crowell requested Mr. Sharp to discuss the closing documents with the District Attorney. Mr. Sharp advised of having submitted the Change Order to the District Attorney's staff and of having obtained the signature of a Peavine Construction, Inc. representative waiving their right to file any claims on the project. He directed the commissioners to the documentation included in the agenda materials and agreed to review the same with the District Attorney.

G-4. REVIEW AND APPROVAL OF THE RTC, STREETS, AND TRANSIT BUDGETS FOR FISCAL YEAR 2011 / 2012 (5:46:09) - Chairperson Aldean introduced this item, and Mr. Schulz reviewed the agenda materials. Mr. Schulz responded to corresponding questions of clarification relative to internal service charges. Mr. Pittenger reviewed a map, displayed in the meeting room and included in the agenda materials, depicting recently completed projects, 2005 to 2011, and programmed projects that will affect streets within the next two years. Mr. Schulz provided additional clarification.

Chairperson Aldean entertained public comment and, when none was forthcoming, a motion. **Commissioner Crowell moved to approve the fiscal year 2011 / 2012 budgets for RTC, Streets, and Transit, and forward them to the Board of Supervisors for inclusion in the City budget; with the caveat that the Board of Supervisors will look hard at the internal service charges. Commissioner Des Jardins seconded the motion. Motion carried 4-0.**

G-5. INFORMATION REGARDING RECENT TRAFFIC COUNTS CONDUCTED BY THE NEVADA DEPARTMENT OF TRANSPORTATION (5:51:33) - Chairperson Aldean introduced this item, and Mr. Pittenger reviewed the agenda materials. He responded to corresponding questions of clarification and discussion followed. Chairperson Aldean entertained commissioner questions or comments and public comments; however, none were forthcoming.

G-6. INFORMATION AND POTENTIAL ACTION TO PROVIDE DIRECTION TO STAFF REGARDING THE POTENTIAL SHUTTLE SERVICE FOR THE V&T RAILROAD (5:54:13) - Chairperson Aldean introduced this item. Mr. Pittenger provided background information and reviewed the agenda materials. Chairperson Aldean suggested conducting a survey, in conjunction with the Carson City Convention and Visitors Bureau, among V&T riders to determine the level of interest in being able to disembark at the east gate and take a trip into Carson City. Mr. Pittenger acknowledged that the proposed shuttle service would have to be sufficiently described prior to publishing a request for proposals. Chairperson Aldean suggested this should also be discussed with the Convention and Visitors Bureau and their lodging property members and "whoever else ... might be a useful partner in this process." Consensus of the commission was to continue researching the proposal.

In response to a question, Mr. Pittenger provided additional clarification of the $24,000 cost estimate included in the agenda materials. He acknowledged that provision of rolling stock can be specified in the request for proposals. Vice Chairperson Mallery expressed appreciation for staff's presentation.

Chairperson Aldean entertained public comment and, when none was forthcoming, expressed support for continuing to explore the possibility. She expressed doubt that there are charter services interested in the route "because it is only three days a week and ... relatively brief given the months of the year that the V&T operates." She expressed support for publishing a request for proposals after meeting with Convention and Visitors Bureau representatives to determine their level of commitment. "Failing our ability to identify a private operator," she expressed the opinion that the RTC needs to "seriously explore taking over this route and finding a suitable source of funding." She reiterated the importance of a survey to determine the desire of the V&T riders, and suggested using one of the existing JAC buses, identifying it accordingly, and operating it for a year to see what sort of response we get before we invest in the expense of rubber-tired trolleys which may or may not be available at a reasonable cost. With the commissioners' concurrence, Chairperson Aldean directed staff to pursue the suggestions and return to the commission with periodic updates. Mr. Pittenger advised that staff would start with the Convention and Visitors Bureau to determine their potential commitment and role in the service and to discuss the survey. Chairperson Aldean thanked Mr. Pittenger and Mr. Smithson for the additional information.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

H-1. STREET OPERATIONS REPORT - APRIL 2011 (6:08:37) - Chairperson Aldean introduced this item and entertained questions or comments. None were forthcoming.

H-2. PROJECT STATUS REPORT INCLUDING AN UPDATE TO THE FREEWAY LANDSCAPE PROJECT (6:08:55) - Chairperson Aldean introduced this item. In reference to the freeway landscape project, Mr. Schulz advised that NDOT's notice to proceed was received yesterday and the project advertised today. He anticipates that the project will be open to bid for three weeks, and reviewed the bid process time line which "brings us right up against next month's meeting for award." Mr.

Schulz expressed appreciation for the assistance from G.R.O.W., and commended NDOT. Chairperson Aldean expressed appreciation for G.R.O.W. President Mary Fischer's persistence.

(6:10:33) Ms. Fischer referenced the corresponding article from this morning's newspaper. She thanked the commissioners, the Board of Supervisors, the citizens, and the G.R.O.W. members for their support. She commended the "extraordinary" staff on their cooperation and responsiveness, particularly Mr. Pittenger, Mr. Schulz, Project Engineer Tom Grundy, and NDOT staff. Chairperson Aldean expressed appreciation for the feedback.

Mr. Pittenger reviewed the status of the gas / food / lodging signs which are to be installed by NDOT along the Carson City freeway. He acknowledged that this will include the private advertising signs. Chairperson Aldean entertained questions or comments; however, none were forthcoming.

H-3. FUTURE AGENDA ITEMS (6:15:27) - Mr. Pittenger reviewed the tentative June commission agenda. Discussion took place regarding the Eagle Valley Middle School project, and consensus of the Commission was to agendize an informational item. Commissioner Crowell discussed QR codes, and suggested installing them on the JAC buses. Chairperson Aldean entertained additional future agenda items; however, none were forthcoming.

I. ACTION ON ADJOURNMENT (6:20:17) - Commissioner Des Jardins moved to adjourn the meeting at 6:20 p.m. The motion was seconded and carried 4-0.

The Minutes of the May 11, 2011 Carson City Regional Transportation Commission meeting are so approved this 8th day of June, 2011.

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SHELLY ALDEAN, Chair