

CARSON CITY REGIONAL TRANSPORTATION COMMISSION  
Minutes of the Special 12/8/93 Joint Meeting with the  
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A special joint meeting of the Carson City Board of Supervisors and the Carson City Regional Transportation Commission was held on Wednesday, December 8, 1993, at the Community Center Sierra Room, 851 East William Street, beginning at 6 p.m.

PRESENT:	Marv Teixeira Kay Bennett Greg Smith Janice Ayres Tom Tatro	Mayor Supervisor, Ward 4 Supervisor, Ward 1 Supervisor, Ward 2 Supervisor, Ward 3
RTC MEMBERS PRESENT:	Greg Smith Kay Bennett Nannelle Mawbrey	Chairperson
STAFF PRESENT:	John Berkich Paul Lipparelli Harvey Brotzman Katherine McLaughlin (S.B.O.S. 12/8/93 Tape 1-0001)	City Manager Deputy District Attorney Regional Transportation Engineer Recording Secretary

Mayor Teixeira called the meeting to order at 6 p.m. Chairperson Smith called the Regional Transportation Commission to order. Roll call of both was taken. All the members of the Board and Commission were present constituting a quorum.

**1. PRESENTATION AND STATUS REPORT BY THE NEVADA INFRASTRUCTURE IMPROVEMENT CORPORATION ON THE FINANCING CONCEPTS FOR THE DESIGN AND CONSTRUCTION OF THE HIGHWAY 395 BYPASS (1-0021)** - Mr. Berkich distributed a copy of the report to the Board, Commission, and Clerk. Steve Bilyeu reviewed the history of proposal, explained the purpose of this evening's meeting, and introduced Bob Farris, Richard Karr, Mike Perry, and Paul Lumos. (1-0092) Mr. Karr explained Mr. Farris' background and experience in financing similar projects. He requested Board approval of the progress which was occurring and requested authority to return in January with a proposal which could be submitted to the State. Mr. Farris used an aerial photograph to explain the State's project, its funding, repayment requirements, and the Corporation's proposal. With the funding generated by a five cent gas tax increase, the Corporation could create a controlled access, "urban arterial" from Bonanza to Fairview. The cost of this construction is to be used to offset the Q Funds which the State must repay. The original concept and modifications mandated by the reduced funding provided from the five cent gas tax were both explained. Under the proposal the State will construct from Spooner to Fairview. The State would maintain the arterial. The caveat requires FHWA and State approvals for use of the right-of-way which cannot be given until a formal proposal is submitted. State and Federal verbal approval has been given of the concept. He was unsure of FHWA's stand on the proposal to use the City funds to offset the State Q Funds. He felt a majority of the arterial could be used by the State although there would be a portion which would have to be upgraded. Discussion ensued between the Board and Mr.

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Farris on the Corporation's proposal to maintain the integrity of the roadway discussed in the public hearings and during the EIS process, defined "at grade", explained the proposed project, temporary use of Fairview Drive and the "modest" improvements planned for it, and proposed signals and intersections for the arterial. (1-0818) Paul Lumos detailed and responded to Board questions concerning the conceptual arterial plans for signalization, plans to blend the intersection of Lompa/Carmine/Highway 50, elevation at any wetland area, plans to use it as a truck route, and, with Mr. Farris, the north 395 interchange, the Lompa/Highway 50 intersection, arterial upgrades the State would have to make, and benefits which would be provided by the four lane arterial. Mr. Karr felt that the project could be "shoe horned" in if the five cent gas tax is used to repay the bond which would be issued to finance the project. This was a new concept in that originally the City was discussing payment direct to the State. Other caveats are the temporary use of Fairview, a four lane width, the time which the State would need to construct the southern leg from Spooner to Fairview, modification of the north "fly over" interchange, and implementation of the gas tax February 1 with construction commencing in July 1995. He then explained that the direction provided by this evening's meeting would create the final proposal for submittal to NDOT and FHWA.

(1-1458) Mayor Teixeira explained for Ruth Blake that the Board could either impose the increased gas tax or ask the electorate if the tax should be imposed.

(1-1495) Ms. Walker explained her cursory review of the financial figures. Discussion noted the City had been experiencing a six percent decrease in gas tax revenues during 1993, however, a conservative estimate indicated \$1.3 million could be realized.

(1-1595) Commissioner Mawbrey acknowledged the need for the bypass. She expressed her support for the concept, however, was concerned about the lack of firm commitments regarding signals, access, etc.

Supervisor Ayres noted the vision planning survey had stressed the need for a boulevard rather than a freeway. Mr. Farris acknowledged her concerns and cited examples of how the arterial would address those concerns.

(1-1768) Chamber of Commerce Transportation Committee Chairperson Shelly Turner supported and encouraged the Board to proceed with the concept. As an alternative, if the concept is unsuccessful, she suggested an advisory question be placed on the ballot so that funding could be provided to either aid the construction or retire debt incurred for construction. Mayor Teixeira pointed out several unanswered questions which needed to be resolved before a ballot question could be conceived. She acknowledged the problems the Board would encounter in couching the ballot question but urged the Board to proceed. Discussion noted the ballot question for the Primary Election needed to be decided by February 1. Supervisor Smith expressed his feeling that a broad question could be composed by February 1.

(1-1989) Supervisor Smith noted the problems encountered with NDOT and the

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Corporation's need for additional meetings with them. Mr. Karr indicated an invoice billing through December 1 was for approximately \$2,000. He felt that the figure would be close to \$5,000 by the end of December. The deadline for the General Ballot is the second Tuesday in June. Mayor Teixeira explained the State highway funding allocation program and that having the question on the November ballot would delay the program until 1997-98. Mr. Karr cautioned the Board about using the ballot process as a failure by only one vote, even if the Board acts positively on the program, would cloud the issue and the Corporation would not move forward on the project. Mr. Lipparelli noted that the ballot question would not be binding on the Board, however, he would leave it to the Board to act contrary to the electorate's decision. He cautioned the Board about committing RTC funds for projects which are legally restricted to RTC allocations. If the project goes forward, the Corporation would require an agreement which would be with the Board and utilize the funds. Clarification by Mr. Karr explained the impact having the Board impose the tax or waiting for the electorate to make a decision would have on the construction schedule and funding. Mr. Farris also explained the impact it would have on the design and project progress.

(1-2312) Duane Windsor applauded Mr. Nelessen's comments on the need for a zippered boulevard rather than a freeway. He acknowledged the need for an "over or under" pass at the north and south ends and perhaps at Highway 50. His contacts with NDOT indicated that 85 percent of the land has been acquired and within ten years the freeway would be constructed. He did not feel that the City would be able to restrict State expenditure of any revenue enhancements provided and was, in his view, legal bribery. He also questioned the wisdom of imposing a 30 year gas tax when the freeway would be developed within five to ten years anyway. The tax would negatively impact the budget. He also noted that freeways draw businesses away from the downtown section and it deteriorates. Mayor Teixeira responded by explaining the City's desire to have an at-grade boulevard to address that situation. He also felt that the State would not allow businesses to locate along the corridor. He then explained the State's attempts to control development on lots determined to be in the freeway right-of-way. (Supervisor Ayres stepped from the room--7:15 p.m. A quorum of the Board of Supervisors was still present.)

(1-2779) Mayor Teixeira suggested the City construct from Highway 50 north and that the City obtain a commitment from the State for the State to commence construction on the southerly portion within three years of the City's completion of the northern portion. This would provide an alternate truck route. (Supervisor Ayres returned at 7:19 a.m. A quorum of the Board was present.) Mr. Karr agreed to consider this program. A truck route would be beneficial, however, the Corporation was attempting to alleviate the entire problem. State funding problems and cost estimates were discussed. Mr. Brotzman outlined the areas which the State had not yet acquired and estimated acquisition costs. Clarification indicated the State should be requested to commence work on the stretch between 50 and Fairview first. Mr. Ferris explained his feeling that the City should construct this portion. Mayor Teixeira repeatedly expressed his concern about having a

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project which would become a headache in 20 years. Mr. Ferris stressed that the project would comply with the EIS statement. He felt that as long as Fairview is considered a temporary route the EIS statement's integrity would be maintained.

BREAK: A five minute recess was declared at 7:30 p.m. When the meeting reconvened at 7:35 p.m. the entire Board and Commission were present constituting a quorum of each.

(2-0039) In response to Mayor Teixeira's question, Mr. Ferris explained the type of report he felt could be completed by January 20th. This would include a preliminary draft, the scope of the work, a more definitive analysis of the cost, a better timetable, and firm commitment from the State. Discussion ensued between the Board and Mr. Ferris on the need for the Board to resolve the five cent gas tax issue. Mr. Ferris urged the Board to make the decision on the tax and not wait for the referendum. Supervisor Smith supported having the Board frame the question for the ballot and pulling it if the project does not materialize.

(2-0295) Chamber of Commerce Executive Vice President Larry Osborne supported having the question on the Primary Ballot and stressed the need for the Bypass. He agreed with Supervisor Smith's suggestion that the question be prepared and, in view of the new information which had been presented, no formal action should be taken on it at this time.

Mr. Brotzman cautioned the Board about taking action on the report until it had been carefully analyzed. He questioned several of the cost estimates. Mayor Teixeira also noted that this would be the first project accomplished by the private sector which could reduce the City's costs. Mr. Lumos explained the cost estimate procedure utilized. Mr. Karr agreed that when construction commences, the Corporation must complete the project for the funding provided. Mr. Lumos requested an opportunity to work with Mr. Brotzman on the estimates. Mr. Karr emphatically responded that the "Corporation could not have a cost over run on one of these projects period." The bonds are not sold until the bids have been obtained. If the bids exceed the "approved amounts", the project could not go forward. All the bonds would be sold at once--up front--unless the project is constructed over six or seven years when staggered sales may be considered. The Corporation would be liable if the project is not completed once it is started. Mr. Karr also expressed a desire to meet with Mr. Brotzman and verify the numbers. Chairperson Smith explained RTC's role would be to allocate the funding.

(2-0935) Supervisor Bennett suggested staff and the Corporation draft a press release. Mr. Karr suggested wording for a release. He requested direction from the Board on how the Corporation should communicate with the Board. Mayor Teixeira indicated the Corporation should advise the Board when it is ready to discuss the project. He would then schedule a special evening session. Noting the Open Meeting Law requirements, he urged Mr. Karr to set a date as early as possible. Formal action on the program would then be scheduled for January 20. This would allow adequate public notice

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and include NDOT in the discussions. Mr. Karr felt that his report would be ready by January 17.

**2. DISCUSSION AND ACTION ON DRAFT RESOLUTION FOR AN ADVISORY QUESTION ON THE 1994 PRIMARY ELECTION BALLOT REGARDING THE INCREASE OF FUEL TAX (2-0561) -**  
Mayor Teixeira directed staff to proceed in drafting a question. Mr. Berkich suggested the resolution be considered at the first meeting in January. Supervisor Tatro requested the information be provided a week before the meeting. He also suggested a special meeting be held on this proposal. Mr. Karr suggested a special workshop be held to discuss the related issues. Board comments supported the workshop and having it televised. The need for public participation was stressed. Supervisor Smith reiterated his feeling that the question should be broad based. Discussion between Mr. Lipparelli and the Board indicated he should draft two resolutions--one dedicating the entire five cents toward the Bypass and one dedicating four cents for the Bypass and one cent for immediate/internal projects. (2-1068) Mr. Berkich indicated the two resolutions would be ready for consideration on January 6th.

There being no other matters for discussion, Commissioner Bennett moved to adjourn the Regional Transportation Commission meeting. Commissioner Mawbrey seconded the motion. Motion carried 3-0. Chairperson Smith adjourned the Regional Transportation Commission meeting at 8:04 p.m.

A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

The Minutes of the Special December 8, 1993, Carson City Board of Supervisors and Carson City Regional Transportation Commission meeting

ARE SO APPROVED ON \_\_\_\_\_,  
1994.

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Greg Smith, Chairperson