A meeting of the Carson City Regional Transportation Commission was scheduled for 12:00 p.m. on Friday, April 24, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Shelly Aldean

Vice Chairperson Russell Carpenter Commissioner Robert Crowell Commissioner Charles DesJardins Commissioner James Mallery

**STAFF:** Jano Barnhurst, Recording Secretary

Daniel Doenges, Senior Transportation Planner

Keith Pearson, Transit Coordinator

Patrick Pittenger, Transportation Manager

Darren Schulz, Deputy Public Works Department Director

Transcribed by: Recording Secretary Kathleen King

**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. These materials are available for review, in the Clerk-Recorder's Office, during regular business hours.

- **A. CALL TO ORDER AND DETERMINATION OF A QUORUM** (11:59:01) Chairperson Aldean called the meeting to order at 11:59 a.m. Roll was called; a quorum was present.
- **B. ACTION ON APPROVAL OF MINUTES** (11:59:28) None.
- C. MODIFICATION OF AGENDA (11:59:32) None.
- **D. PUBLIC COMMENT** (11:59:36) None.
- **E. DISCLOSURES** (11:59:59) None.
- F. PUBLIC MEETING ITEMS:
- F-1. ACTION TO DETERMINE THAT A & K EARTH MOVERS, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 338 AND TO AWARD CONTRACT NO. 0809-206, SOUTH CURRY STREET PHASE I IMPROVEMENTS, TO A & K EARTH MOVERS, INC. FOR A BID AMOUNT OF \$2,360,235.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$300,000.00, TO BE FUNDED FROM THE CURRY PHASE 2 RECONSTRUCTION / EXPANSION FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND AS PROVIDED IN FY 2008 / 2009 (12:00:09) Chairperson Aldean introduced this item, and Mr. Schulz reviewed the agenda report. He advised that A&K Earth Movers is also the Stewart Street contractor, and that staff is pleased with the work they've done thus far. He acknowledged the likelihood of a contract amendment in consideration of future right-of-way acquisitions. He explained that the bid items were left in the bid schedule and that A&K was directed to "hold that number until September 1 to allow us time to acquire right-of-way." He advised that the proposed

amendment will be submitted to this commission. He further acknowledged the contingency amount in excess of the usual ten percent, and explained that the bid process was commenced without having obtained NDOT permits. He further acknowledged that insurance provisions were included in Exhibit A to the contract, copies of which he offered to provide to the commissioners.

Chairperson Aldean opened this item to public comment and, when none was forthcoming, entertained a motion. Commissioner DesJardins moved to determine that A & K Earth Movers, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 0809-206, South Curry Street Phase I Improvements, to A & K Earth Movers, Inc. for a bid amount of \$2,360,235.00 plus a contingency amount not to exceed \$300,000.00 to be funded from the Curry Phase 2 Reconstruction / Expansion Fund, Water Fund, Sewer Fund, and Storm Water Fund, as provided in FY 2008 / 2009; fiscal impact not to exceed \$2,660,235. Commissioner Crowell seconded the motion. Motion carried 5-0.

F-2. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO APPROVE AMENDMENT NO. 1 TO CONTRACT NO. 0809-153 WITH BOWLING MAMOLA GROUP, TITLED "CONTRACT ADMINISTRATION, CONSTRUCTION INSPECTION, AND MATERIALS TESTING FOR STEWART STREET EXTENSION PROJECT," TO EXTEND THE COMPLETION DATE TO DECEMBER 31, 2009, EXPAND THE SCOPE OF WORK, AND CHANGE TITLE TO: "CONTRACT ADMINISTRATION, CONSTRUCTION INSPECTION, AND MATERIALS TESTING FOR STEWART STREET EXTENSION PROJECT AND SOUTH CURRY STREET PHASE 1 IMPROVEMENT PROJECT" AND INCREASE THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$178,415 FROM THE CURRY PHASE RECONSTRUCTION / EXPANSION FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND AS PROVIDED FOR IN FY 2008 / 2009 (12:04:33) - Chairperson Aldean introduced this item, and Mr. Schulz reviewed the staff report. He acknowledged that the amendment was necessitated by recent City staff reductions. (12:07:13) Randy Bowling, of Bowling Mamola Group, expressed appreciation for the opportunity to continue the relationship with Carson City. He noted the efficiencies of combining City staff with the construction management consultant.

Chairperson Aldean entertained a motion. Commissioner Crowell moved to accept the Public Works recommendation to approve Amendment No. 1 to Contract No. 0809-153 with Bowling Mamola Group, titled "Contract Administration, Construction Inspection, and Materials Testing for Stewart Street Extension Project," to extend the completion date to December 31, 2009, expand the scope of work, and change title to: "Contract Administration, Construction Inspection, and Materials Testing for Stewart Street Extension Project and South Curry Street Phase 1 Improvement Project," and increase the contract in an amount not to exceed \$178,415 from the Curry Phase 2 Reconstruction / Expansion Fund, Water Fund, Sewer Fund, and Storm Water Fund as provided for in FY 2008 / 2009. Commissioner DesJardins seconded the motion. Chairperson Aldean entertained public comment and, when none was forthcoming, called for a vote on the pending motion. Motion carried 5-0.

F-3. ACTION TO APPROVE AND AUTHORIZE THE CHAIR TO SIGN AN AGREEMENT BY AND BETWEEN THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION AND CARSON CITY, WHEREBY THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION AGREE(S) TO: (1) RELINQUISH A PORTION OF SR-513 (EAST FIFTH STREET, CARSON RIVER ROAD, AND PINION HILLS DRIVE)

TOGETHER WITH ANY AND ALL REVOCABLE LEASES AND LICENSES ENTERED INTO BETWEEN THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION AND THE ADJOINING OWNERS FOR THE MULTIPLE USE OF THE RIGHT-OF-WAY (12:08:58) - Chairperson Aldean introduced this item. Mr. Pittenger provided background information and reviewed the staff report. In response to a question, he advised that the subject portion of SR-513 and the bridge were included in the original agreement but excluded from the subsequent resolution of the State Transportation Board. In response to a further question, he discussed the desire of NDOT to transfer the road to Carson City.

In response to a question regarding the "negligible" fiscal impact, Mr. Pittenger advised of no additional fiscal impact than that which was previously explained to and agreed upon by this commission. The financial benefit to the RTC was \$4.8 million "in funds that we were able to retain that were previously agreed to transfer to the State for the Carson City freeway." Mr. Pittenger advised of an ongoing maintenance cost, but reiterated no additional costs will be incurred beyond what was previously agreed upon. In response to a question, Mr. Schulz advised that discussions are "ongoing" between City and NDOT representatives regarding roadways to be transferred to Carson City. He further advised that City staff is compiling in-house cost information in preparation for said discussions. He acknowledged that the information will be provided to this commission once it is available. Chairperson Aldean expressed concern over the City being at a disadvantage to enter into negotiations with NDOT without "information based on the historical costs associated with maintaining these roads." She suggested delaying the meeting with NDOT Director Susan Martinovich until such time as all the information is available upon which to base a reasonable decision. Commissioner Mallery expressed agreement and a willingness to honor prior decisions of this commission. He expressed an interest in additional data regarding the perpetual costs to Carson City, however, in order to "have any influence" in the decision. Chairperson Aldean referred to previous discussions regarding the equity issue associated with adjacent counties, and reiterated concerns over proceeding into discussions without the information requested from NDOT. Mr. Schulz advised that he would determine what could be accomplished prior to the meeting on Monday, April 27<sup>th</sup>, and discuss with Chairperson Aldean the possibility of delaying the meeting with NDOT representatives.

Chairperson Aldean opened this item to public comment; however, none was forthcoming. She summarized the discussion, and explained the intent of this item to honor a previous commitment. She entertained a motion. Commissioner Crowell moved to approve and authorize the Chair to sign an agreement between the State of Nevada Department of Transportation and Carson City, whereby the State of Nevada Department of Transportation agree(s) to: (1) Relinquish a portion of SR-513 (East Fifth Street, Carson River Road, and Pinion Hills Drive) together with any and all revocable leases and licenses entered into between the State of Nevada Department of Transportation and the adjoining owners for the multiple use of the right-of-way. Vice Chairperson Carpenter seconded the motion. Motion carried 5-0.

**F-4. ACTION TO APPROVE THE UPDATED LIST OF TRANSIT PROJECTS FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT** (12:17:30) - Chairperson Aldean introduced this item, and Mr. Pearson reviewed the staff report. Discussion took place regarding the revised allocations, and Mr. Pearson advised of anticipated further revisions to the list once funding begins to be

expended. Chairperson Aldean entertained commissioner and public comments; however, none were forthcoming. She entertained a motion. Vice Chairperson Carpenter moved to approve the updated list of transit projects for the American Recovery and Reinvestment Act; fiscal impact is \$950,000. Commissioner Crowell seconded the motion. Motion carried 5-0.

## G. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS:

- **G-1. FUTURE AGENDA ITEMS** (12:20:47) Mr. Pittenger noted the next regular meeting scheduled for Wednesday, May 13<sup>th</sup> at 5:30 p.m. Chairperson Aldean thanked everyone for their attendance at this special meeting.
- **H. ACTION ON ADJOURNMENT** (12:21:21) Vice Chairperson Carpenter moved to adjourn the meeting. Commissioner Mallery seconded the motion. Motion carried 5-0.

The Minutes of the April 24, 2009 Carson City Regional Transportation Commission meeting are so approved this 13<sup>th</sup> day of May, 2009.

SHELLY ALDEAN, Chair