



Nevada Department of Transportation

Board of Directors • Meeting Minutes

May 11, 2020

9:30 A.M.

Meeting Location: Live streamed via BlueJeans in accordance with Governor Sisolak's March 22, 2020 [emergency directive](#) which suspends the requirement that there must be a physical location designated for meetings of a public body where members of the public are permitted to attend and participate in-person so long as participation is available.

1. Welcome/Call to Order

Governor Sisolak called the meeting to order on Monday May 11, 2020 at 9:30 AM. A roll call was conducted, and a **quorum was established**.

2. Public Comment

Director Swallow explained that the Department established an online way of receiving comments via a public comment forum or an email address. All public comments received before 5:00 on Friday were distributed to the Board Members and any comment received before 5:00 today would be included in the record. The Department received no public comment related to an agenda item.

3. Consideration of Approval of April 13, 2020 Nevada Department of Transportation Board of Directors Meeting Minutes (For Possible Action)

There were no corrections or changes in Minutes.

Motion: Approve the April 13, 2020 Nevada Department of Transportation Board of Directors Meeting Minutes

By: Member Stephen Ascuaga

Vote: Passed unanimously



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4. Receive Director's Report (Informational Item)

Director Swallow started the report discussing safety. She noted that fatalities continue to track below the fatalities in 2019, 87 lives lost, down from 88 last year. She further noted that the volumes have been down in March and April and in March our fatalities were significantly lower compared to the March of the previous year. This year, April compared to last year's April, there were actually more fatalities than there were last year. That's despite a 60% reduction in crashes overall. Unfortunately, the crashes are much more severe than what we have been experiencing or are typical.

Director Swallow shared some good news: pedestrian fatalities remain tracking below at 6%, below last year. Motorcyclist fatalities are down 35% and bicyclist fatalities are down 40% year-to-year. She noted that impairment has still been an issue. In Southern Nevada, the DUI Strike Team had 133 arrests versus 75 last year, which is a 58% in total increase. She further noted that with the stay at home order, really none of us, and with all of our bars closed, really nobody should be driving impaired. This is a very concerning statistic.

Director Swallow mentioned that speed has been a factor in crashes over the last month and she discussed two specific crashes in late April in Las Vegas. She explained, two people lost their lives after their vehicle lost control, hit an embankment, and rolled over on Summerlin Parkway. Both the driver and the passenger were unbuckled and were thrown from the car, dying at the scene. Two others died in a single car collision in Reno on April 30th. A silver Mustang was at a red light on Wedge Parkway, behind another car when the light went green, both cars accelerated and NHP reports that both vehicles reached speeds of 25-30 miles higher than the posted speed limit. Due to human error shifting gears, the Mustang entered a broad side skid, hit a curb, and flipped into a tree.

NHP says they're seeing unprecedented speeds across the State. Director Swallow reminded everyone that we all need to be not just staying at home but, also, when we do have to leave--when we do have to go somewhere—that we're driving safely on the road so that we can limit the impact on our emergency providers and our healthcare providers while they focus on the coronavirus.

Director Swallow had one positive note, before moving on from the safety discussion this month and that was that NDOT was commended by Federal Highways for meeting previously set traffic safety targets. She explained that the state is required to set targets for five-year averages for fatalities, fatality rate, serious injuries, serious injury rate, and non-motorized fatalities and serious injuries. Nevada met all five traffic safety targets for the



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2014-2018 period. While we continue to work to get to zero, we do also want to acknowledge where we do make positive strides.

Director Swallow moved into a discussion about COVID. She reminded members that at the April meeting she mentioned that we were still seeing slight decreases in traffic volumes. She referred to the chart in the presentation and explained that the blue shows April, shows the traffic count on April 1st, relative to April 1st last year. The orange shows May 1st versus May 1st last year. She noted, last month, we were still tracking down ever so slightly, in the weeks until today, we've started to see people driving again. And while that is a good bit of information for us and for our revenue looking forward, it is concerning considering that we're still under the stay at home order and have only entered Phase 1 on Saturday.

Director Swallow noted that they are acknowledging the lower traffic volumes on the road and how that affects projects and the efforts on those projects. She noted there has been success in expanding hours for construction on some projects and some permits so that we can see savings in time on the projects, as well as reduce the impact to the traveling public. She provided some examples of some of the projects that this applies to. She noted this is an effort in keeping our roads functional and operational.

Director Swallow stated that she would continue bringing up jobs numbers that we see as an impact of our projects and program. She referred to the slide and noted that last month was the first time we did this and at the end of the April board meeting, we had approved projects worth 4,752 job years. On this agenda, there's an additional 515 job years. The total, pending approval of the items on this agenda, would be almost 5,300 jobs, as a result of the projects that have been approved by the Board since October. She highlighted that 36% of these jobs are induced jobs. Those are jobs in the community that are because of the work that we're doing and the investment we're doing. They're healthcare workers; they're grocery workers; they're teachers; and they're doctors. This highlights the impact that our program has on the economy moving forward.

Director Swallow shared some good news that Nevada was ranked #1, tied with Texas, for the Best Bridges in the Nation. She explained, for the past six years, Nevada has either been first or second in the bridges category and the American Road and Transportation Builder released this analysis. They reviewed our 2019 Bridge Inventory Data and saw that only 1.3% of our 2,000 public bridges are currently structurally deficient. That's in comparison to the national average of 7.5%. She wanted to highlight that structurally deficient bridges are not necessarily unsafe or dangerous, but they may become a priority for corrective measures and may be posted



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to restrict the weight of vehicles using them. She stated she is excited the State is a leader, once again, in the bridge category.

Director Swallow discussed receiving questions regarding the Spaghetti Bowl Express project in Reno. She thought it would be prudent to give an update on the project progress. She noted, it is progressing very well. She explained, Notice to Proceed 1 is complete and Notice to Proceed 2 was issued on April 29th. Notice to Proceed 2 is a critical milestone as it allows the design-builder to proceed with the elements of design units, department reviews, and prepare plans for construction for the project. And, upon approval of the PLA, it also will allow them to start construction.

Director Swallow stated that there have been 15 design submittals and reports received and reviewed. She explained, Union Pacific Railroad's initial approval of preliminary design has been achieved and our PLA is progressing well with Ames and Q&D. They're continuing to work on the contract items with that. Construction activities are expected to start as early as late summer 2020. However, drivers in the Reno area may see work going on right now in the roadway while the contracting team does preliminary geo-tech work as well as utility pothole investigation as they work on their design. She noted that the schedule is still on track for a November 2022 completion.

Director Swallow shared that May is Bike Month. Although we're celebrating it differently this particular May, it's still being celebrated. She noted that NDOT encouraged folks to bike to anywhere and take pictures of where they have biked. NDOT also provided traffic safety tips and encouraged folks to draw something bicycle encouraging messages with chalk on their sidewalk or driveway; and answered questions regarding bicycling and the law. NDOT supported Bike to Small Business Saturday. She explained, we are really encouraging folks to continue to ride their bikes, continue to get out while maintaining social distancing, but recognizing as we enter into Phase 1, that there may be opportunities that they can continue to support small businesses and help and encourage the economy to recover.

Director Swallow ended with welcoming a new member to the leadership team. Ryan McInerney is the new Communications Director. She provided some background on Mr. McInerney noting that he comes to NDOT after having served as the Governor's Communications Director. She noted, he has spent more than a decade in strategic communications, public affairs, research, and communication. He's a fellow Rebel, having earned his JD from Boyd School of Law at UNLV and is eager to help make our communications efficient, consistent, and accessible to all internally and to the public. NDOT is truly thrilled to add Ryan to the team.



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There were no questions regarding the Director's report.

5. Consideration of Approval of Contracts over \$5,000,000 (For Possible Action)

Director Swallow stated there was one contract for the Board's consideration. The contract is for McCarran Avenue in Reno. It was recommended to be awarded to Granite Construction Company.

Governor Sisolak asked if there were any questions or comments. There were no questions or comments.

Motion: Approve Agenda Item 5 for the contract over \$5,000,000
By: Member Virginia Valentine
Vote: Passed unanimously

6. No Agenda Item 6.

7. Consideration of Approval of Agreements over \$300,000 (For Possible Action)

Director Swallow said there were three contracts for the Board's consideration. There were no questions or comments regarding the contracts.

Motion: Approve Agenda Item 7 for the three contracts over \$300,000
By: Member Virginia Valentine
Vote: Passed unanimously

8. Contracts, Agreements, and Settlements (Informational Item Only)

Director Swallow said this was an informational item only. She said she was prepared to answer questions, but there were none.



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9. Consideration of Resolution of Abandonment of a portion of State Highway Right-of-Way; a portion of US-95, approximately ½ mile north of the Town of Goldfield, County of Esmeralda, State of Nevada SUR 20-03 (For Possible Action)

Director Swallow said this item was a straightforward abandonment.

Governor Sisolak asked if there were any questions. There were no questions.

10. Provide an Overview of One Nevada Project Prioritizations Process (Informational Item Only)

Sondra Rosenberg, Assistant Director for Planning, provided the report for Agenda Item 10. She reminded the Board that this was discussed at last month's meeting. She provided a brief summary as a refresher and explained that there were six goals established and adopted by the stakeholder team. Ms. Rosenberg explained that the focus of today's presentation would be to clarify questions received after last month's presentation on the last step of the process, harmonization. Harmonization is the art of integrating projects with available funding and other program level factors.

After the initial prioritization, based on how well the proposed projects align with the One Nevada Transportation Plan goal, several other factors will be evaluated prior to making any funding recommendations. One of the first steps taken is to look at funding capacity and eligibility. This step consists of evaluating all of our federal fund sources and their eligibility requirements and aligning those with all of our projects. Every project that's proposed, we've identified which funding sources they're eligible for.

Ms. Rosenberg continued, we are also looking at the type of work and timing of delivery. This includes a couple of factors, primarily, project readiness---looking at all of the proposed projects, when they're currently planned, whether they'll be ready at that date, and whether or not they can possibly be accelerated if funds were available. In addition, this means considering what projects are either planned advertised together or may be in proximity to another project and could be considering for bundling.

Then, the need to evaluate the impacts of the selected projects on NDOT performance measures becomes a consideration. Ms. Rosenberg reminded the Board of the changes to our legislative performance measures which were accepted at last month's meeting. In addition to legislative performance measures, there are federal performance measures. We need to consider how well the program of projects under different



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scenarios will help move the need along those performance targets and performance measures. Of course, the evaluation of geographic distribution of potential investments across the state will take place and adjustments will be made, as needed, to consider a number of factors, including local revenue generation.

Once a prioritized and harmonized list is established, it will be published for public comment and presented at a future board meeting. She noted she anticipates bringing a proposed list of projects and investments at the July meeting for information, while it's out for public comment. And then return in August for the 2021 Annual Work Program approval and 2021-2024 State Transportation Improvement Program acceptance.

Lieutenant Governor Kate Marshall asked at what point in the process is the Board involved. She further asked how the Department was handling the fact that a reduction in traffic leads to a reduction in revenues and inquired how the Board was involved in reassessing or providing input on the projects that have been approved. She wanted to know what the criteria is for the Board's involvement.

Sondra Rosenberg explained that Board involvement is done in a number of different ways. She stated, this goes back to establishing funding capacity. That consideration is looked at by the leadership team is looking at potential projections and what we think our state budget might be and what may be requested. We want to fully utilize all of the available federal funds.

Ms. Rosenberg further explained that priority will be using our state funds to match those federal funds to leverage that additional funding. There is discussion on what we think the reduction in travel will have on our state fund resources. After those discussions, it will be brought before the Board. The work program will come back to this Board for both information as well as approval. We have a couple of months to talk more about it and can certainly have conversations in the interim as well.

Then the actual budget setting process is through the legislature. We're under a biennium budget right now. We're looking at what adjustments we may need to make for the next fiscal year. Certainly, during the next legislature, we'll look at the biennium after that. We are expecting to see some reduction in the state gas tax revenue and we're monitoring that closely. As Director Swallow mentioned in her briefing, we've seen a decline in traffic. It is starting to tick back up, we're just watching it very carefully. As we start getting those revenues, we'll make adjustments, as needed.



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The benefit of doing a prioritization process like this is we can adjust that sort of bottom line. We know what sort of projects are a priority and must be funded and which ones we may be kind of on the bubble, depending on how much revenue we have at our disposal.

Lieutenant Governor Kate Marshall acknowledged that it sounded like these things come before the Board. She noted she still doesn't understand the process. She stated there was an agenda item in her packet that is no longer listed, however, the public comments received appear to pertain to that agenda item. She asked, has NDOT made decisions on projects that the Board has not had input on?

Director Swallow thanked the Lieutenant Governor for her questions and noted that the project has been put on hold. She stated it was the project in Ely and it's pending a resource allocation study and a determination of COVID impacts. Once there is a better understanding of the impacts, it will be revisited.

Lieutenant Governor Kate Marshall asked when this would be revisited. Director Swallow responded June.

Governor Sisolak noted that the impacts of COVID are still trying to be identified. Lieutenant Governor Kate Marshall appreciated that comment and the Governor's leadership during this time. She explained that she would hate to be put in an awkward situation because NDOT is having to move faster on items and because of the speed things were not being brought to the Board.

Governor Sisolak stated that Kristina and the Department have been extremely transparent. Everything is brought in front of the Board. He noted everyone understands that the fuel revenue has gone down significantly in light of COVID. We're trying to determine how much our COVID response has decreased our revenue. Governor Sisolak noted that we're taking a cautious approach. He acknowledged the public comments that came forward as well.

Lieutenant Governor Kate Marshall thanked the Governor again for his leadership. She appreciates the transparency and thinks it's really important. She noted, anytime something would come up like that, I would mention it because a lot of the times, projects out in those areas are really Reno jobs. And I think it's important to think about if we're putting people on the unemployment line.

Governor Sisolak agreed and also wants to avoid unemployment. He noted we'll be facing unprecedented situations moving forward and will allocating tens of millions of dollars, which is difficult when dealing with



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ratios and coverages and so forth. Once the impacts of COVID-19 to our economy and revenue are established, we will revisit it.

11. Provide an Overview of the Nevada Department of Transportation's Formal Procedure and Guidance Document for the Statewide Transportation Improvement Program (STIP) (Informational Item Only)

Sondra Rosenberg, Assistant Director for Planning, provided the report for Agenda Item 11. She explained that this a federally mandated, fiscally-constrained four-year program of projects that must include all federally funded and regionally significant surface transportation projects throughout the State. It also includes by reference all regional transportation improvement program projects in MPO boundaries. That's anything in RTC of Southern Nevada, RTC of Washoe, Carson area, Metropolitan Planning Organization and TRPA boundaries. They produce the regional TIPs and we accept those into the Statewide TIP, or STIP.

She stated it can be accessed any time on e-STIP.NevadaDOT.com. The website is kept updated and is a publicly available site. It's a little bit cumbersome but you can search and we're happy to walk anyone through it who's interested in learning more about the electronic STIP.

She explained that NDOT was asked by our Federal Highway Division Office to formalize and update our procedures pertaining to the STIP. This document addresses planning requirements under MAP 21 and the FAST Act. It provides formal guidance on the development of the STIP. And, formal procedure and schedule for project revisions after adoption. It provides federal, state and local planning resources and contact information.

In addition to outlining our procedures, it links to those procedures in those MPO areas that she mentioned. The changes in the procedure include timetables, in terms of when we might make changes. In the past, we've accepted those changes throughout the year. It also includes a change in the amendment thresholds. Again, to be more consistent with the metropolitan areas, but also just more consistent across our projects. Rather than have a dollar threshold, we're slightly increasing the percentage thresholds to make it, again, more consistent. We'll also, again, follow those thresholds and the requirements in those MPO boundaries as well.

It also includes a direct link to those MPO participation process, which has the thresholds and comment periods of the regional TIPs as well. This document went out for a 45-day public review and comment period on Friday, April 24th and we'll present the final document, including any comments received, and changes made to the Transportation Board for approval at the June Board Meeting and then submit to FHWA for approval. That will



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allow us to have an approved update procedure in place prior to the adoption of the 2021 STIP and Annual Work Program in August.

Governor Sisolak asked if there were any questions. There were none.

12. Public Comment

Director Swallow mentioned again that public comment was received through 5:00 PM on Friday afternoon. At that time, the comments were submitted and shared with the Board. There was a total of 15 comments received, 14 were in support of the Ely project. One was in support of HOV lanes in Las Vegas. She noted that public comment will be continued to be accepted until 5:00 PM today and will be attached and included in the record of this meeting.

13. Executive Session

There was no Executive Session.

14. Adjournment (For Possible Action)

The Governor thanked everyone and said he would accept a motion to adjourn.

Motion: Adjourn the May 11, 2020 Nevada Department of Transportation Board of Directors Meeting

By: Lieutenant Governor Marshall

Vote: Passed unanimously

Tracy Ann Thomas
Secretary to the Board